



**THE IRMO TOWN COUNCIL WILL HOLD A PUBLIC HEARING
ON TUESDAY, AUGUST 17, 2021, BEGINNING AT 7:00 P.M. IN THE MUNICIPAL
BUILDING, 7300 WOODROW STREET, IRMO SOUTH CAROLINA 29063
TO RECEIVE COMMENTS ON ORDINANCE 21-10 TO REZONE
PROPERTY FROM RG TO FA**

A REGULAR COUNCIL MEETING WILL FOLLOW THE PUBLIC HEARING

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Reading of the Minutes: July 20, 2021, August 9, 2021 and August 12, 2021
- V. Report of Standing
 - A. Administrative Briefing
- VI. Amendments to the Agenda
- VII. Consideration of Communications
 - A. Recognition of “Southern Strut” as the July Small Business of the Month
 - B. Recognition of “Health Foods” as the August Small Business of the Month
 - C. Update from Lake Murray Country (Miriam Atria)
 - D. Presentation from “Vote411.org” (Staff)
- VIII. Presentation by Citizens (Agenda Items IX, and X Only)
- IX. **UNFINISHED BUSINESS**
 - A. SECOND AND FINAL READING of Ordinance 21-07 amending the Irmo Town Code, Chapter 10, Businesses; Article II, Licenses: pursuant to the South Carolina Business License Tax Standardization Act, Chapter 7, Title 5 of the 1976 State Code
 - B. SECOND AND FINAL READING of Ordinance 21-08 amending the Irmo Town Code, Appendix A, Zoning and Land Development Regulations; Article 3, Zoning Regulations for use of lots; Section 3-8 – Accessory Buildings and Uses (Staff)

X. **NEW BUSINESS**

- A. FIRST READING of Ordinance 21-09 amending the Irmo Town Code, Chapter 8, Building and Building Regulations; Article II – Technical Codes (Busch)
- B. FIRST READING of Ordinance 21-10 to rezone property on Muskrat Run Road as shown on Richland County TMS#03202-01 lots (s) 16 and 17 now or formerly owned by Clifton Hall from General Residential (RG) to Fringe Agriculture (FA) (Staff)
- C. Approval of Resolution 21-02 to ratify budget amendments for FY20/21 totaling \$368,166.73 (Staff)
- D. Approval to purchase four (4) Chevrolet Tahoe's off state contract from Love Chevrolet in the amount not to exceed \$213,528.00 (Staff)
- E. Approval to submit a "Letter of Intent" for the Undiscovered SC Grant Program (PRT) in the amount of \$200,000 for the construction of the Rawls Creek Park with the Town portion being \$200,000 (total project cost \$400,000) (Danielson)
- F. Appointment of Ms. Renee Caviness as the Municipal Clerk (Staff)

XI. Presentation by Citizens

XII. Discussion

XIII. Executive Session

- A. Personnel – (Review Administrator Interviews)

XIV. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Irmo will not discriminate against qualified individuals with disabilities based on disability in its services, programs, or activities. If you need an accommodation to attend the meeting, please contact the Town Administrator for assistance at (803)781-7050, M-F between the hours of 8:30 – 5:00 (closed most Federal and State Holidays).

Section 10-1. License Required.

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

Section 10-2. Definitions.

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

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

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

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

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

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

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

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

“*Municipality*” means the Town of Irmo, South Carolina.

“Person” means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principal.

Section 10-3. Purpose and Duration.

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

Section 10-4. License Tax.

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

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

Section 10-5. Registration Required.

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

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

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

Section 10-6. Deductions, Exemptions, and Charitable Organizations.

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

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

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

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

Section 10-7. False Application Unlawful.

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

Section 10-8. Display and Transfer.

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

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

Section 10-9. Administration of Article.

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

Section 10-10. Inspection and Audits.

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

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

Section 10-11. Assessments, Payment under Protest, Appeal.

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

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

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

Section 10-12. Delinquent License Taxes, Partial Payment.

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

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

Section 10-13. Notices.

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

Section 10-14. Denial of License.

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

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

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

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

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

- E. The applicant, Licensee or prior Licensee or the person in control of the business is delinquent in the payment to the Municipality of any tax or fee; or
- F. The license for the business or for a similar business of the Licensee in the Municipality or another jurisdiction has been denied, suspended, or revoked in the previous license year.

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

Section 10-15. Suspension or Revocation of License.

When the License Official determines:

- A. A license has been mistakenly or improperly issued or issued contrary to law; or
- B. A Licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance; or
- C. A Licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion, or suppression of a material fact in the license application; or
- D. A Licensee has been convicted, within the previous ten years of an offense under a law or ordinance regulating business, a crime involving dishonest conduct or moral turpitude related to a business or a subject of a business, or an unlawful sale of merchandise or prohibited goods; or
- E. A Licensee has engaged in an unlawful activity or nuisance related to the business; or
- F. A Licensee is delinquent in the payment to the Municipality of any tax or fee,

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

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

Section 10-16. Appeals to Council.

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

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

Section 10-17. Consent, franchise, or license required for use of streets.

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

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

Section 10-18. Confidentiality.

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the license ordinance.

Section 10-19. Violations.

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

Section 10-20. Severability.

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

Section 10-21. Classification and Rates.

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

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

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE 21-08

AN ORDINANCE AMENDING THE IRMO TOWN CODE, APPENDIX A ZONING AND LAND DEVELOPMENT REGULATIONS; ARTICLE 3, ZONING REGULATIONS FOR USE OF LOTS; SECTION 3-8 ACCESSORY BUILDINGS AND USES.

BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF IRMO IN COUNCIL DULY AND LAWFULLY ASSEMBLED, THAT THE TOWN CODE IS AMENDED AS FOLLOWS:

Change Title of Section 3-8 to read:

“Accessory Buildings, Swimming Pools, and Spa Uses”

Add new Section: Section 3-8.6 Swimming Pools and Spas

“Swimming pools and spas shall be enclosed and include a self-closing and self-latching gate of 48” (inches) minimum height. Pools must be maintained with clean water (stagnation and/or fungus must be removed) or the pool must be drained”

PASSED AND ADOPTED this 17th day of August 2021.

Barry A. Walker, Sr. Mayor

ATTEST:

Renee Caviness, Interim Municipal Clerk

1st Reading: July 20, 2021

2nd Reading: August 17, 2021

AN ORDINANCE AMENDING THE IRMO TOWN CODE, CHAPTER 8, BUILDING AND BUILDING REGULATIONS; ARTICLE II – TECHNICAL CODES

BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF IRMO IN COUNCIL DULY AND LAWFULLY ASSEMBLED, THAT THE TOWN CODE IS AMENDED AS FOLLOWS:

DELETE ENTIRE ARTICLE II

REPLACE WITH:

ARTICLE II. - TECHNICAL CODES

State Law reference— Authority to adopt mandatory codes is referenced in S.C. Ann. § 6-9-50 (1976 as amended), modified and adopted by the South Carolina Building Codes Council. The latest edition of “permissive codes” is referenced in S.C. Code Ann § 6-9-60 (1976 as amended).

Sec. 8-31. - Building Code.

For the purpose of establishing rules and regulations for the construction, alteration, use, demolition and removal of buildings or other structures, or any appurtenances connected or attached thereto, there is hereby adopted the 2018 International Building Code with South Carolina modifications, and the 2018 International Residential Code with South Carolina modifications, being particularly the current edition, with subsequent revisions as published and the whole of such code. The provisions of such code shall be controlling as to all subjects therein contained, within the corporate limits, except that if any of the provisions are in conflict with other provisions of this Code, state law or ordinances, rules or regulations, the provisions of this Code, state law or ordinances, rules or regulations shall prevail and be controlling.

Sec. 8-32. - Unsafe Building Abatement Code.

The current edition of the International Building Code with S.C. modifications and the Residential Building Code with S.C. modifications, with subsequent revisions, as published, and the whole of such code. The provisions of such code shall be controlling as to all subjects therein contained, within the corporate limits, except that if any of the provisions are in conflict with other provisions of this Code, state law or ordinances, rules or regulations, the provisions of this Code, state law or ordinances, rules or regulations shall prevail and be controlling.

Sec. 8-33. - Electrical Code.

(a) Adopted. The current edition (2017) of the National Electrical Code (NEC), as approved by the National Fire Protection Association, is hereby adopted as the minimum standard for the installation of all electrical wiring, devices, and equipment in the town, except as otherwise specifically provided in this chapter, and is hereby made a part of this chapter as fully and completely as if the same were set out in this section verbatim. In the event of any conflict between the provisions of the electrical code and the provisions of this Code, state law or ordinances, rules or regulations, the provisions of this Code, state law or ordinances, rules or regulations shall prevail and be controlling.

(b) Permit required; fees (collected by contracted Town Inspectors)

(1) Before any electrical wiring, devices or equipment are installed, repaired, or altered in any building or structure within the town, the person making the installation, repair or alteration shall obtain a permit therefor from the building official contracted by the Town.

(2) Before any permit for electrical work shall be issued under the provisions of this chapter, the applicant therefor shall pay the permit fees as shall be determined by the council from time to time.

(c) Applicability of code provisions to homeowners. Nothing contained within this chapter shall prevent any homeowner from installing or maintaining electrical wiring within his own property boundaries; provided the electrical work is done by himself and is used exclusively by him or his family. This privilege does not convey the right to violate any of the provisions of this chapter, neither is it to be construed as exempting any property owner from obtaining a permit and having the work inspected nor from paying the required fees therefor.

Sec. 8-34. - Plumbing Code.

There is hereby adopted for the purpose of regulating the installation of all plumbing, and to secure the beneficial interest and purposes of the town, which are the health, sanitation, general public safety, and welfare, that certain plumbing code known as 2018 International Plumbing Code, being particularly the current edition, together with all subsequent revisions of such code. Such code is adopted and incorporated in this section as fully and completely as if the code were set out in this section verbatim. In the event of any conflict between the provisions of the plumbing code and the provisions of this Code, state law or ordinances, rules or regulations, the provisions of this Code, state law or ordinances, rules or regulations shall prevail and be controlling.

Sec. 8-35. - Gas Code.

There is hereby adopted for the purpose of providing minimum standards for the safe installation of gas piping and gas appliances, that certain gas code known as the 2018 International Fuel Gas Code with S.C. modifications, being particularly the current edition, together with all subsequent revisions of such code. Such code is adopted and incorporated in this section as fully and completely as if the same were set out in this section verbatim. In the event of any conflict between the provisions of the gas code and the provisions of this Code, state law or ordinances, rules or regulations, the provisions of this code, state law or ordinances, rules or regulations shall prevail and be controlling.

Sec. 8-36. - Mechanical Code.

There is hereby adopted for the purpose of providing minimum standards for the safe installation and maintenance of all mechanical equipment so as to safeguard life, health and public welfare and the protection of property, that certain mechanical code known as the 2018 International Mechanical Code with S.C. modifications, being particularly the current edition, together with all subsequent revisions. Such code is adopted and incorporated in this section as fully and completely as if the code were set out in this section verbatim. In the event of any conflict between the provisions of this Code, state law or ordinances, rules or regulations, the provisions of this Code, state law or ordinances, rules or regulations shall prevail and be controlling.

Sec. 8-37. - Housing Code.

There is hereby adopted for the purpose of providing minimum standards and requirements for the use, maintenance, and occupancy of all dwellings, dwelling units or structures within the corporate limits, that certain housing code known as the 2018 International Residential Code with S.C. modifications, being particularly the current edition, together with all subsequent revisions. Such code is adopted and incorporated in this section as fully and completely as if the code were set out in this section verbatim. In the event of any conflict between the provisions of the housing code and the provisions of this Code, state law or ordinances, rules or regulations, the provisions of this Code, state law or ordinances, rules or regulations shall prevail and be controlling.

Sec. 8-38. – Accessible and Useable Buildings and Facilities.

The latest published edition of the ICC/ANSI A117.1 is required by state law to be enforced by building officials. All plan reviews and inspections conducted by a contracted certified organization will be based on ICC/ANSI A117.1. Additional accessibility laws must be considered and enforced include but are not limited to the South Carolina Accessibility Act (S.C. Code Ann 10-5-210 et seq.); Americans with Disabilities Act (ADA), published and enforced by the US Department of Justice (DOJ); Fair Housing Act of 1988, published and enforced by the US Department of Housing and Urban development (HUD); and the South Carolina Fair Housing Law, published and enforced by the SC Human Affairs Commission. In the event of any conflict between the provisions of this code and the provisions of the Code of Ordinances, federal law, state law or ordinances, rules or regulations, the provisions of this Code of Ordinances, federal law, state law or ordinances, rules or regulations shall prevail and be controlling.

PASSED AND ADOPTED this 21st day of September 2021.

Barry A. Walker, Sr. Mayor

ATTEST:

Renee Caviness, Interim Municipal Clerk

1st Reading: August 17, 2021

2nd Reading: September 21, 2021

STATE OF SOUTH CAROLINA)

RESOLUTION 21-02

TOWN OF IRMO)

WHEREAS, the Town of Irmo Budget Ordinance provides for automatic amendments to the budget by vote of Council: and

WHEREAS, votes of Council have triggered automatic amendments requiring increasing line items or adding line items as follows:

Account Name	Line Item	Increase
Radio Equipment Grant - Revenue	40223	\$ (79,800.00)
Awards/Bonus	5020-50110	\$ 6,497.04
Awards/Bonus	5030-50110	\$ 2,165.68
Awards/Bonus	5040-50110	\$ 8,662.72
Other Equipment	5040-50815	\$ 15,932.61
Future Growth Corporation	5050-50845	\$ 250,000.00
Miscellaneous	5053-50901	\$ 15,425.12
Awards/Bonus/Longevity	5060-50110	\$ 36,014.56
Maintenance/Repair PD Building	5060-50701	\$ 23,518.00
Other Equipment	5060-50815	\$ 9,951.00
Equipment - Radio Grant	5060-50816	\$ 79,800.00
	Total Amendments	\$ 368,166.73

AND: WHEREAS, these amendments yield the following amended budget for FY 20/21:

EXPENDITURES

I. GENERAL FUND

A. Operating / Capital Expenses:	Original	Amended
Legislative Department	\$ 54,912	
Administrative Department	\$ 626,689	\$ 6,497.04
Court Department	\$ 272,435	\$ 2,165.68
Public Services Department	\$ 670,944	\$ 24,595.33
Non-Departmental	\$ 878,800	\$ 250,000.00
Public Safety	\$ 2,921,674	\$ 149,283.56
Sanitation	\$ 1,180,000	\$ 15,425.12
Confiscated Funds	\$ 5,000	\$ 5,000.00
	\$ 6,610,454	\$ 6,978,621

