

**THE IRMO TOWN COUNCIL WILL HOLD A REGULAR MEETING ON TUESDAY,
DECEMBER 18, 2018, AT 7:00 P.M. IN THE MUNICIPAL BUILDING, 7300 WOODROW
STREET, IRMO, SOUTH CAROLINA 29063**

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Reading of the Minutes: December 4, 2018
- V. Report of Standing
 - A. Administrative Briefing
- VI. Amendments to the Agenda
- VII. Consideration of Communications
 - A. Update on new facility from Irmo Fire Chief Mike Sonefeld (Staff)
- VIII. Presentation by Citizens (Agenda Items Only)
- IX. **UNFINISHED BUSINESS**
 - A. **THIRD AND FINAL READING** of Ordinance 18-34 amending the Irmo Town Code, Appendix A Zoning Ordinance; Article VIII – Administrative Procedures and Enforcement Regulations; Section 8-10 – Reasonable Accommodations (Staff)
- X. **NEW BUSINESS**
 - A. Approval of Resolution 18-07 to appoint a Substitute Municipal Judge to perform duties as the Court Administrator (Staff)
 - B. Approval of Letter of Credit in the amount of \$100,610.76 for Shoals Landing, Phase II with an expiration date of October 31, 2021 (Staff)
 - C. Approval to contract with Team Logic IT for a one-time fee of \$3,700, and a monthly maintenance contract of \$700 to upgrade the Town’s website for ADA Compliance pursuant to Title II, Section 508, article 1194.22 (Mayor)
 - D. Approval of Resolution 19-01 adopting the Safety Policy (Staff)
 - E. Approval of policy for advertising openings on boards and commissions (Walker)
 - F. Appointment to the Okra Strut Commission (Staff)
- XI. Presentation by Citizens
- XII. Discussion
 - A. Discussion on procedures for appointing volunteers to Town Committees (Mayor)
 - B. Discussion on Council Meeting Decorum (Mayor)

C. Discussion on Car break-ins and increasing police patrol (Walker)

XIII. Executive Session

(Council may act on items discussed in executive session after returning from the executive session).

XIV. Adjournment

DRAFT

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 Hall at (803) 781-7050, M-F between the hours of 8:30 – 5:00 (closed most Federal Holidays)

STATE OF SOUTH CAROLINA)

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ORDINANCE NO. 18-34

TOWN OF IRMO)

AN ORDINANCE AMENDING THE IRMO TOWN CODE, APPENDIX A – ZONING ORDINANCE; ARTICLE VIII – ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS; SECTION 8-10, REASONABLE ACCOMMODATIONS

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

Add: “*Section 8-10 – Reasonable Accommodations*”

Applicability.

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

Requesting Reasonable Accommodation.

A. In order to make housing available to an individual with a disability, any eligible person as defined herein may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.

B. Requests for reasonable accommodation shall be in writing and provide the following information:

- (1) Name and address of the individual(s) requesting reasonable accommodation;
- (2) Name and address of the property owner(s);
- (3) Address of the property for which accommodation is requested;
- (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought; and
- (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

C. Any information identified by an applicant as confidential shall be retained in a manner to respect the privacy rights of the applicant and shall not be made available for public inspection. Any person requiring assistance in completing the written request or needing to make an oral request for a modification or accommodation may contact the Zoning Administrator for assistance. The Town shall not impose any fees or costs for requesting a reasonable accommodation,

or otherwise retaliate against any person who has exercised his or her right under the Fair Housing Act to make one or more reasonable modification or reasonable accommodation requests.

D. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

E. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will aid ensure that the process is accessible.

F. For three years following the final determination, the Town shall retain records of all oral and written reasonable accommodation requests, including (i) the name, address, and telephone number of the person making the request; (ii) the date the request was received; (iii) the nature of the request; and (iv) the final written decision regarding the request.

Reviewing Authority.

A. Requests for reasonable accommodation shall be reviewed by the zoning administrator using the criteria set forth herein. The zoning administrator will provide a decision on the request for a reasonable accommodation, in writing, within thirty (30) calendar days of the Town's receipt of the request and, if a request is denied, a detailed explanation of the basis for such denial shall be included in this written notification. If a request for accommodation is denied by the zoning administrator, the decision may be appealed by filing a Notice of Appeal with the Zoning Board of Appeals within thirty (30) days of the decision.

B. The reviewing authority shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth herein.

C. If necessary, to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. If a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

Required Findings.

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

- (1) Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;
- (2) Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;
- (3) Whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction and;
- (4) Whether the requested accommodation would require a fundamental alteration the jurisdiction's land use and zoning or building program.

Written Decision on the Request for Reasonable Accommodation.

A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth herein. All written decisions shall give notice of the applicant's right to appeal.

The notice of decision shall be sent to the applicant by certified mail.

B. The written decision of the zoning administrator shall be final unless an applicant appeals it to the Zoning Board of Appeals.

C. If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time allotted, the request shall be deemed granted.

D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

Appeals.

A. Within thirty (30) days of the date of the zoning administrator's written decision, an applicant may appeal an adverse decision to the Zoning Board of Appeals. Appeals from the adverse decision shall be made in writing.

B. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will aid ensure that the appeals process is accessible.

C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available. Any adverse ruling of the Zoning Board of Appeals may be appealed to the appropriate Circuit Court pursuant to SC Code § 6-29-820, et seq.

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

RESOLUTION 18-07
TO APPOINT SUBSTITUE MUNICIPAL JUDGE

WHEREAS, the Town of Irmo, South Carolina, is a municipal corporation, incorporated and existing under the laws of the Great State of South Carolina, and;

WHEREAS, the Town of Irmo through its duly constituted Council desires to nominate, constitute and appoint certain municipal officers to conduct business on behalf of the Town to act in the capacity as a Substitute Municipal Judge with no trial authority, with additional duties as Court Administrator;

NOW, THEREFORE, BE IT RESOLVED, by authority of South Carolina Code Section 14-25-15, Council of the Town of Irmo, South Carolina, in Council duly assembled on this 4th day of December by:

1. That Kim Hoffman, as Substitute Municipal Judge with additional duties as Court Administrator, is hereby authorized and empowered on behalf of the Town of Irmo to sign any and all documents, warrants and orders, which are necessary to carry on the court operation, activities and functions of the Town of Irmo Municipal Court for a term of four (4) years. This duty would be facilitated by the continued instructions of the Irmo Chief Administrative Judge and by the South Carolina Court Administration.
2. That Irmo Chief Administrative Judge and South Carolina Court Administration may rely upon the authority conferred by this Resolution until the receipt of said institutions of a certified copy of a Resolution by Council of the Town of Irmo revoking or modifying the same.

BE IT FURTHER RESOLVED that this Resolution 18-07 shall become effective on December 18th, 2018.

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

RESOLUTION 19-01

RESOLUTION ADOPTING THE TOWN OF IRMO SAFETY POLICY STATEMENT.

WHEREAS, it is the policy of the Town to provide as safe a work place as possible for all employees. In conjunction with this policy employees are expected to cooperate in keeping the work areas clean and free of hazards,

WHEREAS, all unsafe conditions should be reported immediately to the chain of command and/or safety committee representatives who in turn shall meet quarterly. Accidents will be investigated, and action taken to prevent recurrence,

WHEREAS, departments will regularly schedule safety meetings and supervisors will hold safety talks with their employees; managers, supervisors and employees are responsible for implementing this policy,

WHEREAS, each new employee will be trained in safe working practices for their specific job and provided with appropriate personal protective equipment to perform his/her job

BE IT FURTHER RESOLVED that the Town of Irmo fully supports a safe work environment and will diligently monitor all personnel to ensure total compliance.