



THE TOWN OF
Irmo
GATEWAY TO LAKE MURRAY

TOWN COUNCIL MEETING

March 21, 2023 @ 7:00pm

Irmo Municipal Building – 7300 Woodrow Street, Irmo, South Carolina

Live streaming will be available from our YouTube channel at:

<https://www.youtube.com/c/TownofIrmo>

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Reading of Minutes – February 21, 2023 & March 7, 2023
- V. Report of Standing
 - A. Administrative Briefing
 - B. New In-Town Businesses
 - Advance Automation Consulting, LLC. – 7891 Broad River Road
 - Cigars-R-Us – 1131 Dutch Fork Road
 - Modern Custom Landscapes – 10020 Broad River Road
 - La Fe Solutions, LLC. – 7801 St. Andrews Road
 - Mod Wash – 102 Harban Court
 - Serenity Nail & Spa – 10071 Broad River Road
 - Small Packages, LLC. – 750 Western Lane
 - TJ McKay Entertainment, LLC. – 1180 Columbia Avenue
 - Tom’s Lawn Care – 1231 Columbia Avenue
 - Unified Family Health Care Center, LLC. – 1032 Kinley Road



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VI. Amendments to the Agenda

VII. Consideration of Communication

- A. Recognition of Pathways Massage Therapy as the March 2023 Small Business of the Month.
- B. Proclamation recognizing Cherry Blossom Day (Mayor).
- C. Recognition of Terry Hughey (Mayor).
- D. Recognition of Irmo H.S. Men's Varsity Basketball Team (Mayor).
- E. Presentation of a Smokefree Palmetto State Certification from DHEC.
- F. School Showcase:
 1. Presentation by Principal Karey Fisher and Magnet Lead Lisa Brooks from Nursery Road Elementary – Arts Magnet (Waldman).
- G. Community Connections:
 1. The Addams Family – The Musical (Waldman).
 2. Irmo Cherry Blossom Festival (Waldman).
 3. Luzianna Purchase 2nd Annual Crawfish Boil (Waldman).
 4. Spring Plant Sale (Waldman).
 5. Peep-a-Palooza (Waldman).
 6. Irmo's Got Talent – Unity in the Community (Waldman).
 7. Irmo International Festival (Waldman).
 8. Community Earth Day Celebration (Waldman).

VIII. Presentation by Citizens (Agenda Items IX and X only)

IX. **UNFINISHED BUSINESS**

- A. **SECOND AND FINAL READING of ORDINANCE 23-01** to amend Appendix A – Zoning and Land Development Article 2, Section 2-3.6 Conditional Uses for Townhouses (Planning Commission). This will change the language under conditional uses to include multifamily.

X. **NEW BUSINESS**

- A. **FIRST READING of ORDINANCE 23-04** to adopt the Local Revenue Services Agreement with the Municipal Association of South Carolina (Staff). This agreement allows MASC to collect local revenues on behalf of the town for franchise fees, broker fees and insurance fees.



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- B. **FIRST READING of ORDINANCE 23-05** to amend Chapter 14, Environment, Section 32, Unsanitary and Unsightly Conditions (Sickinger). This ordinance would remove the word “leaves” from the code.
- C. **FIRST READING of ORDINANCE 23-06** to annex Lexington County TMS# 001998-04-025 into the town limits and assign a Fringe Agricultural (FA) zoning designation to the parcel (Planning Commission). The property is located at 153 Rocky Creek Trail and is contiguous to the current town limits.
- D. Approval to award \$200,000 in ARPA funds to Universal Community Improvement Organization (Mayor).
- E. Approval of Richland County Intergovernmental Agreement and adoption of the Richland County Animal Care Ordinance (Staff).
- F. Approval of deadline to access grant funding from the 2022 COVID-19 non-profit grants by April 30, 2023 (Mayor). Previously awarded grantees would have until the deadline to access their funds.

XI. Presentation by Citizens

XII. Discussion

XIII. Executive Session – Council may act on items discussed in executive session after returning from the executive session.

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 or Municipal Clerk for assistance at (803)781-7050, M-F between the hours of 8:30 – 5:00 (closed most Federal and State Holidays).

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE 23 – 01

**TEXT AMENDMENT: APPENDIX A – ZONING AND LAND DEVELOPMENT ARTICLE 2 –
PRIMARY ZONE DISTRICT REGULATION, SECTION 2-3.6, CONDITIONAL USES FOR
TOWNHOUSES AND MULTIFAMILY HOUSING**

**BE IT ORDERED AND ORDAINED, BY THE TOWN OF IRMO, SOUTH
CAROLINA, IN COUNCIL DULY AND LAWFULLY ASSEMBLED AND BY THE
AUTHORITY THEREOF**

WHEREAS, the Town of Irmo desires to strengthen its Zoning Ordinance and Land
Development Regulation and reconcile the associated zoning standards with its Official Zoning Map;

WHEREAS, the change is a text amendment to address noted errors, omissions, vague
language, and add appropriate standards;

WHEREAS, this amendment adds language to Section 2-3.6, Conditional Uses for Townhouses
and Multifamily Housing;

WHEREAS, this request separates and varies the conditional requirements for townhouses and
multifamily housing;

WHEREAS, the Town and its Planning Commission per *SC Codes § 6-29-760* met the State’s
zoning procedural standards. Simply, notice was advertised in The New Irmo News 15 days before the
public hearing;

WHEREAS, the Planning Commission recommended the adoption of the following zoning
amendment to the zoning ordinance on Monday, January 9, 2023.

PASSED AND ADOPTED this 21st day of March, 2023.

Barry A. Walker, Sr., *Mayor*

ATTEST:

Renee Caviness, *Municipal Clerk*

1st Reading: January 17, 2023
2nd Reading: March 21, 2023

ORDINANCE 23 – 01

AS IS:

2-3.6 Conditional Uses for Townhouses

2-3.6 Conditional Uses for Townhouses

Due to the unique design features of townhouses, the dimensional and density requirements of Table 2 are hereby modified, as follows:

- A. Such projects shall have a minimum of one acre.
- B. Minimum lot area shall be 3,000 square feet per unit, on average.
- C. Not more than eight townhouses may be joined together, with approximately the same (but staggered) front line.
- D. Side yard setbacks at the end unit shall be as required for the district in which the project is to be located, with not less than 20 feet distance between buildings in the project area.
- E. Rear yard setbacks shall be 20 feet.
- F. Minimum lot width shall be 24 feet.
- G. Sidewalks not less than five feet in width shall be provided along the front property line of each project building.
- H. Rear yards, where enclosed, shall be by a masonry or brick wall not less than six feet in height.
- I. Where proposed for the RG district, maximum density of a townhouse project shall not exceed four units per acre.
- J. The building façades shall alternate between units.

PROPOSED:

2-3.6 Conditional Uses for Townhouses and Multifamily Housing

2-3.6(A) Conditional Uses for Townhouses

Due to the unique design features of townhouses, the dimensional and density requirements of Table 2 are hereby modified, as follows:

- A. Such projects shall have a minimum of one acre.
- B. Minimum lot area shall be 3,000 square feet per unit, on average.
- C. Not more than eight townhouses may be joined together, with approximately the same (but staggered) front line.
- D. Side yard setbacks at the end unit shall be as required for the district in which the project is to be located, with not less than 20 feet distance between buildings in the project area.
- E. Rear yard setbacks shall be ~~20~~ 25 feet.
- F. Minimum lot width shall be 24 feet.
- G. Sidewalks not less than five feet in width shall be provided along the front property line of each project building.
- H. Rear yards, where enclosed, shall be by a masonry or brick wall not less than six feet in height.
- I. Where proposed for the RG district, maximum density of a townhouse project shall not exceed four units per acre.
- J. The building façades shall alternate between units.

2-3.6(B) Conditional Uses for Multifamily Housing

Due to the unique design features of multifamily housing (apartments), the dimensional and density requirements of Table 2 are hereby modified, as follows:

- A. Such projects shall have a minimum of one acre.
- B. Multifamily buildings may not cover more than twenty-five percent (25%) of the total lot

ORDINANCE 23 – 01

- acreage.
- C. Front yards, rear yards and side yards shall surround multifamily buildings by twenty-five (25) feet on all sides.
- D. Off-street parking must be provided for not less than two vehicles per single housing unit in the multifamily housing complex.
- E. Street access. Multifamily housing shall access only roads with a minimum of four paved lanes with one lane being a turning lane. Such roads may be pre-existing or modified by the developer and approved by SCDOT and the Town of Irmo.

Amendments to Table for Conditional Use

Use	NAICS	RS	RG	CO	CN	CG	LN	FA	Parking Standards
Townhouses, patio homes, multifamily (see conditional uses for townhouses, multifamily, and patio homes and zero lot line houses)			C		C	C			2.0 per unit

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE 23 – 04

AN ORDINANCE

AUTHORIZING AND DIRECTING THE TOWN OF IRMO TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT RELATING TO SOUTH CAROLINA LOCAL REVENUE SERVICES; TO PARTICIPATE IN ONE OR MORE LOCAL REVENUE SERVICE PROGRAMS; TO EXECUTE AND DELIVER ONE OR MORE PARTICIPANT PROGRAM SUPPLEMENTS; AND OTHER MATTERS RELATING THERETO.

WHEREAS, the Town of Irmo (the “Municipality”) is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income;

WHEREAS, under State law, certain business license taxes are applicable in a manner or at a rate that applies throughout the State (“Statewide Business License Taxes”);

WHEREAS, such Statewide Business License Taxes include without limitation the business license taxes applicable to insurers under Title 38, Chapter 7 of the S.C. Code; to brokers under Title 38, Chapter 45 of the S.C. Code; and to telecommunications companies under Title 58, Chapter 9, Article 20 of the S.C. Code;

WHEREAS, the Municipal Association of South Carolina (the “Association”) has previously established local revenue service programs in which the Association administers Statewide Business License Taxes on behalf of and for the benefit of participating municipalities;

WHEREAS, such local revenue service programs include a program known as the Insurance Tax Program (“ITP”) that administers business license taxes applicable to insurers under Title 38, Chapter 7 of the S.C. Code; a program known as the Brokers Tax Program (“BTP”) that administers business license taxes applicable to brokers under Title 38, Chapter 45 of the S.C. Code; and a program known as the Telecommunications Tax Program (“TTP”) that administers business license taxes applicable to telecommunications companies under Title 58, Chapter 9, Article 20 of the S.C. Code;

WHEREAS, the Municipality currently participates in ITP, BTP, and TTP;

WHEREAS, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the “Standardization Act”), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes;

WHEREAS, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 21-11 on September 21, 2021, in order to comply with the requirements of the Standardization Act (the “Current Business License Ordinance”);

WHEREAS, in connection with the enactment of the Standardization Act and the adoption of locally compliant business license ordinances, the municipalities of the State have determined that it would be advisable and prudent to update the existing local revenue service programs;

WHEREAS, in particular, the municipalities of the State have determined to establish and join South Carolina Local Revenue Services (“LRS”) by intergovernmental agreement, which among other things will administer Statewide Business License Taxes on behalf of its participants, including but not limited to by continuing to offer the services provided by the ITP, BTP, and TTP;

WHEREAS, Article VIII, Section 13(A) of the South Carolina Constitution provides that “(a)ny county, incorporated municipality, or other political subdivision may agree with the State or with any other political subdivision for the joint administration of any function and exercise of powers and the sharing of the costs thereof;”

WHEREAS, the Town Council of the Municipality (the “Council”) now wishes to authorize and direct the Municipality to join LRS and to participate in one or more local revenue service programs;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Irmo, as follows:

SECTION 1. Direction to Apply to and Join LRS. The form of the Local Revenue Services Agreement (the “Agreement”) pursuant to which a municipality may request to participate in LRS and, if approved, become a participant is attached hereto as Exhibit A. The Town Administrator (the “Executive Officer”) is hereby authorized and directed to apply to participate in LRS. If the Municipality’s application is approved by LRS, then the Executive Officer shall execute and deliver a counterpart to the Agreement in substantially the form attached hereto. The Council hereby approves the terms and conditions of and agrees to comply with the Agreement upon the execution and delivery thereof by the Executive Officer.

SECTION 2. Participation in Local Revenue Service Programs. The Council determines that, if admitted to LRS, the Municipality will participate in the ITP, the BTP, and the TTP. The Executive Officer is hereby authorized and directed to execute and deliver any required Participant Program Supplements (as such term is defined in the Agreement) as may be necessary to participate in such local revenue service programs.

SECTION 3. Business License Taxes Applicable to Insurance Companies. Notwithstanding anything in the Current Business License Ordinance to the contrary, the following provisions shall apply to insurance companies subject to Title 38, Chapter 7 of the S.C. Code.

- a) Except as set forth below, “gross premiums” for insurance companies means gross premiums written for policies for property or a risk located within the municipality. In addition, “gross premiums” shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company’s office located in the municipality, (2) the insurance company’s employee conducting business within the municipality, or (3) the office of the insurance company’s licensed or appointed producer (agent) conducting

business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium.

- b) As to fire insurance, “gross premiums” means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.
- c) As to bail bonds, “gross premiums” shall exclude any amounts retained by a licensed bail bondsman as defined in Title 38, Chapter 53 of the S.C. Code for authorized commissions, fees, and expenses.
- d) Gross premiums shall include all business conducted in the prior calendar year. Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums, or deposit.
- e) Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.
- f) The business license tax for insurance companies under Title 38, Chapter 7 of the S.C. Code shall be established at the rates set forth below. Declining rates shall not apply.

NAICS Code

524113 **Life, Health, and Accident.** 0.75% of Gross Premiums.

524126 **Fire and Casualty.** 2% of Gross Premiums.

524127 **Title Insurance.** 2% of Gross Premiums.

- g) License taxes for insurance companies shall be payable on or before May 31 in each year without penalty. The penalty for delinquent payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

SECTION 4. Business License Tax Applicable to Brokers. Title 38, Chapter 45 of the S.C. Code (the “Brokers Act”) establishes a blended premium tax rate applicable to brokers of 6 percent, comprising a 4 percent State premium tax and a 2 percent municipal premium tax, each to be collected by the South Carolina Department of Insurance. Pursuant to §§ 38-45-10 and 38-45-60 of the Brokers Act, the Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker’s premium tax.

SECTION 5. Business License Taxes Applicable to Telecommunication Companies.

- a) Notwithstanding any other provisions of the Current Business License Ordinance, the business license tax for “retail telecommunications services,” as defined in S. C. Code

Section 58-9-2200, shall be at the maximum rate authorized by S. C. Code Section 58-9-2220, as it now provides or as provided by its amendment. Declining rates shall not apply.

- b) The business license tax year for retail telecommunications services shall begin on January 1 of each year. The business license tax for retail telecommunications services shall be due on January 1 of each year and payable by January 31 of that year, without penalty. The delinquent penalty shall be five percent (5%) of the tax due for each month, or portion thereof, after the due date until paid.
- c) In conformity with S.C. Code Section 58-9-2220, the business license tax for “retail telecommunications services” shall apply to the gross income derived from the sale of retail telecommunications services for the preceding calendar or fiscal year which either originate or terminate in the municipality and which are charged to a service address within the municipality regardless of where these amounts are billed or paid and on which a business license tax has not been paid to another municipality. The measurement of the amounts derived from the retail sale of mobile telecommunications services shall include only revenues from the fixed monthly recurring charge of customers whose service address is within the boundaries of the municipality. For a business in operation for less than one year, the amount of business license tax shall be computed on a twelve-month projected income.
- d) Nothing in this Ordinance shall be interpreted to interfere with continuing obligations of any franchise agreement or contractual agreement. All fees collected under such a franchise or contractual agreement shall be in lieu of fees or taxes which might otherwise be authorized by this Ordinance.

SECTION 6. No Exemption for Interstate Commerce. Properly apportioned gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

SECTION 7. LRS to Appoint Business License Official and to Designate Appeals Board. Pursuant to the Agreement, LRS is hereby authorized to appoint one or more individuals (each, an “LRS Business License Official”) to act as the Municipality’s business license official for purposes of administering Statewide Business License Taxes. In addition, LRS is hereby authorized pursuant to the Agreement to designate an appeals board (the “Appeals Board”) for purposes of appeals arising with respect to such taxes. The LRS Business License Official so appointed and the Appeals Board so designated shall have all of the powers granted to the Municipality’s business license official and appeals board under the Current Business License Ordinance, except as may be modified by this ordinance.

SECTION 8. Appeals Process. With respect to the calculation, assessment, and collection of Statewide Business License Taxes, in lieu of the appeals process described in the Current Business License Ordinance, the following appeals process required by S.C. Code Section 6-1-410 shall apply:

- a) If a taxpayer fails or refuses to pay a Statewide Business License Tax by the date on which it is due, the LRS Business License Official may serve notice of assessment of the Statewide Business License Tax due on the taxpayer by mail or personal service. Within thirty days after the date of postmark or personal service, a taxpayer may request, in writing with reasons stated, an adjustment of the assessment. An informal conference between the LRS Business License Official and the taxpayer must be held within fifteen days of the receipt of the request, at which time the taxpayer may present any information or documents in support of the requested adjustment. Within five days after the conference, the LRS Business License Official shall issue a notice of final assessment and serve the taxpayer by mail or personal service with the notice and provide a form for any further appeal of the assessment by the taxpayer.
- b) Within thirty days after the date of postmark or personal service, the taxpayer may appeal the notice of final assessment by filing a completed appeal form with the LRS Business License Official, by mail or personal service, and by paying to LRS in protest at least eighty percent of the business license tax based on the final assessment. The appeal must be heard and determined by the Appeals Board. The Appeals Board shall provide the taxpayer with written notice of the hearing and with any rules of evidence or procedure prescribed by the Appeals Board. The hearing must be held within thirty days after receipt of the appeal form unless continued to another date by agreement of the parties. A hearing by the Appeals Board must be held at a regular or specially called meeting of the Appeals Board. At the appeals hearing, the taxpayer and LRS have the right to be represented by counsel, to present testimony and evidence, and to cross-examine witnesses. The hearing must be recorded and must be transcribed at the expense of the party so requesting. The Appeals Board shall decide the assessment by majority vote. The Appeals Board shall issue a written decision explaining the basis for the decision with findings of fact and conclusions and shall inform the taxpayer of the right to request a contested case hearing before the Administrative Law Court. The written decision must be filed with the LRS Business License Official and served on the taxpayer by mail or personal service. The decision is the final decision of LRS on the assessment.
- c) Within thirty days after the date of postmark or personal service of LRS's written decision on the assessment, a taxpayer may appeal the decision to the Administrative Law Court in accordance with the rules of the Administrative Law Court.

SECTION 9. Repealer, Effective Date. All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective on the date of final reading.

ENACTED IN REGULAR MEETING, this ____ day of _____, 20 ____.

Mayor

ATTEST:

Clerk

First reading: _____

Final reading: _____

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE 23-05

**AN ORDINANCE TO AMEND CHAPTER 14, ENVIRONMENT, OF THE TOWN OF IRMO
CODE OF ORDINANCES**

WHEREAS, the Mayor and Town Council finds adoption of this ordinance to be in the public’s best interest as it will amend the Code of Ordinances of the Town of Irmo in order to address changing community needs, correct deficiencies and ambiguities in the Code of Ordinances, and promote public health, safety, and well-being; and

WHEREAS, the following text amendments and additions to the Town of Irmo Code of Ordinances have been proposed by Staff:

CHAPTER 14 - ENVIRONMENT^[1]

ARTICLE II. - NUISANCES^[2]

Sec. 14-32. - Unsanitary and unsightly conditions.

(a)(1) All premises within the town whether vacant, improved or occupied, shall at all times be kept in a sanitary condition. All damp low places and all garbage, ~~leaves,~~ trash, cans, vessels, broken bottles, pieces of metal, china, glass or any other materials that may hold water are hereby deemed unsanitary and declared to be a nuisance punishable by a fine.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Irmo, South Carolina, in Council duly assembled on this 18th day of April, 2023, that the Ordinance of the Town of Irmo is amended.

PASSED AND ADOPTED this 18th day of April, 2023.

Barry A. Walker, Sr., *Mayor*

ATTEST:

Renee Caviness, *Municipal Clerk*

1st Reading: March 21, 2023

2nd Reading April 18, 2023

STATE OF SOUTH CAROLINA)
)
TOWN OF IRMO)

ORDINANCE 23-06
ANNEXATION
TMS# 001998-04-025

AN ORDINANCE TO ANNEX REAL PROPERTY LOCATED AT 153 ROCKY CREEK TRAIL, TMS 001998-04-025 INTO THE CORPORATE LIMITS OF THE TOWN OF IRMO, TO RE-CLASSIFY SAID PROPERTY FROM D, DEVELOPMENT DISTRICT (LEXINGTON COUNTY), TO FA, FRINGE AGRICULTURAL (TOWN OF IRMO) WITH CONDITIONS, AND TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF IRMO TO SO REFLECT

WHEREAS, a proper petition has been filed with the Town Council by 100 percent of the freeholders owning 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation to the Town under the provisions of S.C. Code Section 5-3-150(3); and

WHEREAS, the area to be annexed also includes any rights-of-way, roads, or railroad tracks located adjacent to the described property; and

WHEREAS, a request has been presented to the Irmo Town Council by the owner of the property designated on the Tax Map Records of Lexington County, South Carolina as TMS # 001998-04-025 described as approximately +/- 13.19 acres to subsequently re-classify the property from D, Development District (Lexington County) to FA, Fringe Agricultural Residential (Town of Irmo) with Conditions; and

WHEREAS, it is necessary and desirable to reclassify said property from D, Development District (Lexington County) to FA, Fringe Agricultural (Town of Irmo) with Conditions; and

WHEREAS, the Irmo Planning Commission, during a meeting held on March 6, 2023, recommended to the Irmo Town Council to annex said property and classify that property to the appropriate zoning classification of FA, Fringe Agricultural; and

WHEREAS, the conditions to be placed upon this parcel is described as follows:

1. Section 2-3.2(D) of the Town of Irmo Zoning Ordinance shall not be enforced on this property.
2. The property will be subject to all nuisance and noise-related ordinances outlined in the Municipal Code.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Irmo, South Carolina, in Council duly assembled on this 18th day of April, 2023, that the property herein described is hereby annexed to and becomes a part of the Town of Irmo effective immediately; and

BE IT FURTHER ORDAINED that the property herein described shall be zoned FA, Fringe Agricultural with Conditions; and

BE IT FURTHER ORDAINED that the official zoning map of the Town of Irmo be, and the same hereby is, amended to so reflect.

ORDINANCE 23 - 06, CONTINUED

PASSED AND ADOPTED this 18th day of April, 2023.

Barry A. Walker, Sr., *Mayor*

ATTEST:

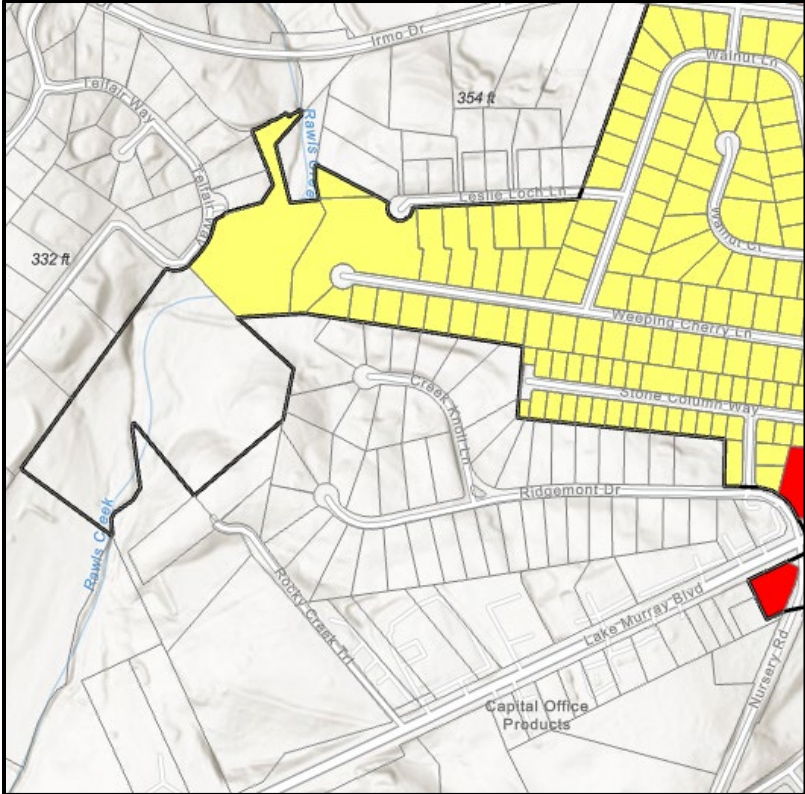
Renee Caviness, *Municipal Clerk*

1st Reading: March 21, 2023

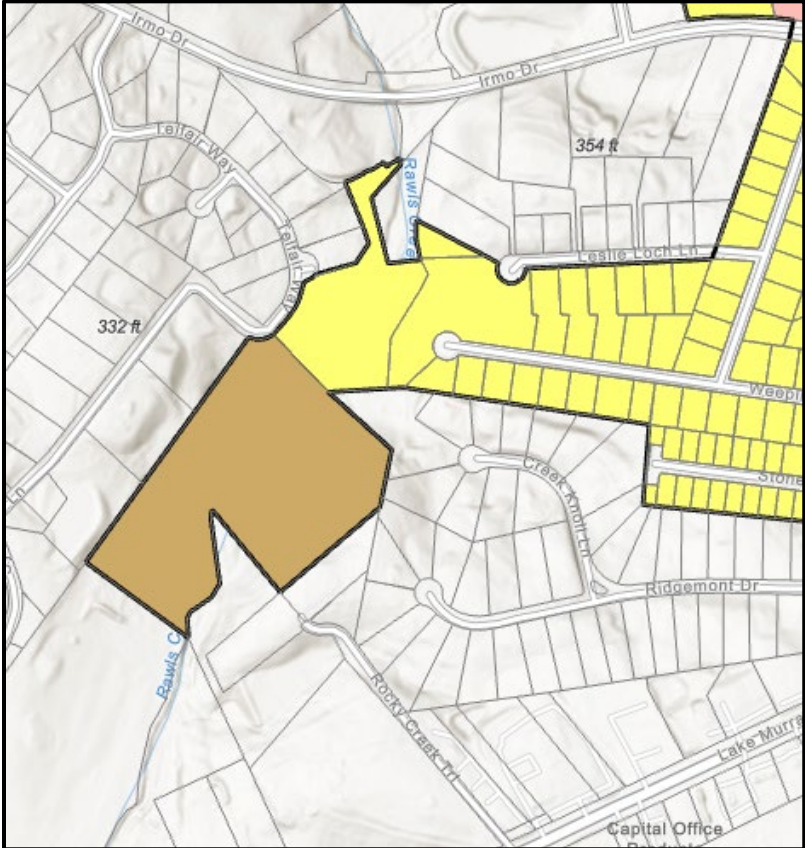
2nd Reading & Public Hearing: April 18, 2023

ORDINANCE 23 - 06, CONTINUED

Current Zoning Map



Proposed Zoning Change (TMS# 001998-04-025)



STATE OF SOUTH CAROLINA)
)
RICHLAND COUNTY)

**INTERGOVERNMENTAL AGREEMENT
(Animal Care)**

THIS AGREEMENT entered into this ____ day of _____, 2023, is by and between Richland County (hereinafter the "County") and the Town of Irmo (hereinafter the "Town").

RECITALS

WHEREAS, the County and the Town mutually entered into an agreement dated February 15, 2021, for animal care services within the Town; and

WHEREAS, the Town continues to desire the services of the County Animal Care Department for all animal care services; and

WHEREAS, the County is willing to provide the Town said animal care services; and

WHEREAS, the parties desire to execute a new agreement for animal care services.

NOW, THEREFORE, it is mutually agreed by and between the parties hereto as follows:

1. The Animal Care Department of the County shall provide such services to secure the enforcement and uniformity of animal control regulations within the Town in compliance with the animal control ordinances of the County and in accordance with the laws of the State of South Carolina where applicable.

The County shall provide the same degree, type and level of service as customarily provided to residents of the unincorporated areas of Richland County, which shall include, but not be limited to:

a) Field services shall include patrolling for stray, injured, nuisance and vicious animals and enforcing the County Animal Care Ordinance to include issuance of violation notices, citations and pet license applications. The County shall be responsible for the investigation and enforcement of animal cruelty, neglect and abandonment of animals. The County shall be responsible for the disposal of deceased animals prepared according to guidelines. The County shall be responsible for public education in the areas of responsible pet ownership.

b) Licensing of animals of the Town shall be in accordance with the County Ordinance. The County staff shall be responsible for maintaining records, receiving payment

and issuing tags. The County shall retain all payments received for pet licenses within the Town.

c) Animal Housing/Veterinary Services – County shall transport animals to locations contract or designated by the County. The County shall ensure veterinary services for sick or injured animals as set forth in veterinary contract.

d) Rabies Control – The County shall act as agent of the Town in relation to animal bites and rabies testing. Activities include but are not limited to investigation of all reported bites and quarantining of biting animals in pursuit to the Department of Health and Environmental Services of South Carolina guidelines and performing of such duties as necessary to prepare and deliver animals for rabies testing.

2. The Town shall, within sixty (60) days after signing this Agreement, adopt the current Richland County Animal Care Ordinance, and hereby agrees to timely adopt all subsequent amendments thereto.

3. In any and all instances where an ordinance of the Town conflicts, restrains or is unreasonably burdensome to the enforcement of the Richland County Animal Care ordinance adopted by the Town, the adopted animal care ordinances shall take precedence. It is hereby declared to be the intent of the parties to give the County exclusive authority regarding the enforcement of such regulations within the territorial limits of the Town.

4. This Agreement shall commence on the date set forth above and shall continue unless terminated by either party upon such party giving six months written notice to the other party of its intent to terminate this agreement.

5. This Agreement may be amended, modified or changed only upon the written agreement between the County Council for Richland County and the Town Council for Irmo.

6. The County shall continue to assess, levy, and collect property taxes from the residents of that portion of the Town of Irmo which lies within the boundaries of Richland County for the above services. Such assessment and levy shall not exceed that which is assessed and levied on property in the unincorporated areas of Richland County. The taxes generated by such assessment and levy shall be designated as an offset to the costs of providing these services and shall constitute the compensation to the County for the undertaking of these services.

7. This agreement, including all requirements and details outlined in the above paragraphs, shall apply ONLY to that portion of the Town of Irmo which lies within the

geographical boundaries of Richland County.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first above written.

WITNESSES:

RICHLAND COUNTY

By: Overture Walker, Richland
County Council Chairperson

TOWN OF IRMO

By: _____,
Irmo Mayor