



CITY OF BEAUFORT
1911 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070
CITY COUNCIL WORKSESSION AGENDA
June 9, 2020

STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

WORKSESSION - Electronic Meeting - 6:00 PM

Please note, this meeting will be conducted electronically via Zoom and broadcasted via livestream on Facebook. You can view the meeting live via Facebook at the City's page City Beaufort SC

I. CALL TO ORDER

- A. Billy Keyserling, Mayor

II. DISCUSSION ITEMS

- A. Electronic Meetings Participation Via Zoom
- B. Proposed Stormwater Protection Ordinance
- C. City Council Summer Meeting Schedule
- D. Beaufort County Transportation Committee (CTC) Funding
- E. Renaming of Battery Saxton Park

III. ADJOURN



City of Beaufort Electronic Meetings Participation Via Zoom

Online Video and Audio Participation

- Meeting links and ID's will be posted on all City agendas.
- All agendas for the City of Beaufort can be found at:
www.cityofbeaufort.org/agendacenter.
- Follow the link to join the meeting or go to Zoom and enter the meeting ID.
- Once you have joined the meeting, your camera and microphone will be muted, and you will be able to hear the Council/Board Members running the meeting.
- If you would like to make a statement during the public comment or after a discussed item on the agenda, click the "Raise My Hand" button on the Zoom application to be recognized.
- Once you have made your comment, please click on the "Lower My Hand" button to lower your hand.

Telephone Participation

- Meeting call in number will be posted on all City agendas.
- All agendas for the City of Beaufort can be found at:
www.cityofbeaufort.org/agendacenter.
- Once you have joined the meeting via phone you will hear Council/Board Members in progress. Your telephone microphone will be muted and others on the call and attending the meeting will not be able to hear you speak, unless called upon by Mayor/Chairs (Host).
- To make a comment during public comment or after a discussed item you must press *9. This will show the Mayor/Chair (Host) that your hand is raised. Once you are called on your microphone will be unmuted.

It is highly recommended that you provide in advance your comments and/or questions to the City Clerk, Ivette Burgess - iburgess@cityofbeaufort.org prior to City Council Worksession or Regular meetings. For all other City Boards and Commissions comments and/or questions may be sent to Julie Bachety - jbachety@cityofbeaufort.org. This helps staff during the meetings.

When participating in one of the City's Zoom meetings, please ensure that all background noise is off. Background noise can distort the communications.

STORMWATER PROTECTION ORDINANCE

Illicit Discharge prohibited; exemptions.

- (a) *Illicit discharges enumerated.* No person shall discharge or cause to be discharged into the water courses any illicit discharge, including but not limited to the following:
- 1) Chemicals, petroleum products, paints, varnishes, solvents, oils and grease and other automotive fluids, pesticides, herbicides and fertilizers, or other toxic materials.
 - 2) Nonhazardous liquid, solid wastes, and yard wastes.
 - 3) Hazardous materials, sewage, fecal coliform, and pathogens dissolved and particulate metals.
 - 4) Trash, refuse, rubbish, garbage, food wastes, pet wastes, litter, other discarded or abandoned objects, floatables and cleaning products.
 - 5) Landscaping materials, sediment, lawn clippings, leaves, branches or other landscaping and yard debris.
 - 6) Construction activities wastes and residues including, but not limited to, painting, paving, concrete placement, saw cutting, material storage and earthwork.
 - 7) Wastes and residues that result from mobile washing operations; discharges from toilets; sinks; industrial processes; cooling systems; boilers; fabric cleaning; equipment cleaning, commercial vehicle cleaning and substances added to the storm drain to control root growth.
 - 8) Any other material is considered harmful to humans, animals, or aquatic life and its habitat.
- (b) *Exemptions.* The following discharges, when properly managed, are exempt from the discharge prohibitions established by this ordinance:
- 1) Water line flushing and portable water discharges from portable water sources.
 - 2) Landscape irrigation or lawn watering, irrigation return flows, diverted stream flows, rising groundwater, uncontaminated groundwater infiltration to storm drains, uncontaminated pumped groundwater.

- 3) Discharges resulting from emergency firefighting activities and water incidental to street sweeping (included associated sidewalk and median) that is not associated with construction.
- 4) Discharges authorized by OCRM and DHEC permit.

Best Management Practice

The owner or operator of a commercial or industrial establishment or a disturbed area shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the watercourses through the use of structural and nonstructural BMP's.

Right of Entry and inspection of properties and facilities

- (a) Whenever the City has reasonable cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this article, the City shall have the right to enter the premises any condition which constitutes a violation of this article, the City shall have the right to enter the premises at any reasonable time to determine if the owner or operator is complying with all requirements of this article. If the owner or occupant refuses entry after a request to enter has been made, the City is hereby empowered to seek assistance from the court in obtaining such entry.

Enforcement and Penalties

- (a) *Violation.* It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this article. Any person who violates any of the provisions of this article shall be subject to one (1) or more of the enforcement actions outlined in this section.
- (b) *Enforcement.* Authorized personnel under the supervision of the City Manager have the power to conduct inspections, give verbal directions, issue notices of violations and implement other enforcement actions under this section.
- (c) *Abatement.* In event the violation constitutes an immediate danger to public health or public safety, the City is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation and/or restore the property.
- (d) *Cost of abatement of the violation.*
 - 1) If the City abates a violation, then within ten (10) days after abatement of the violation, the owner of the property will be notified of the cost abatement, including administrative costs. The property owner may file a written appeal

objecting to the amount of the assessment within ten (10) days of the effective date of the notice.

- 2) If no appeal is filed, then the charges shall become due and payable on the date set forth in the notice, which date shall be after the expiration of the time in which to file an appeal, and such charges shall become special assessment against the property and shall constitute a lien on the property for the amount of the assessment.
 - 3) In the event an appeal is filed, a hearing on such appeal shall be held before the City Council within fifteen (15) days from the date of receipt of the written appeal. If any charges are upheld upon completion of such hearing, then such charges shall become due and payable ten (10) days after the issuance of the order upon such appeal and if not timely paid, such charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.
 - 4) All liens set forth in this section shall accrue penalty and interest at a rate equivalent to that which is assessed upon delinquent general property taxes under state law. Such lien shall have priority over all other liens except general taxes and shall, upon the City's certification and filing with Beaufort County, be collected and paid to the City's by the county treasurer in the same manner as delinquent general property taxes.
- (e) *Re-Inspection fees.* Whenever the City determines that any activity is occurring which is not in the compliance with the requirements of this article, the City can issue a re-inspection fee of two hundred dollars (\$200) established by the resolution of the city council.
- (f) *Stop work order.* Whenever the city determines that any activity is occurring which is not in compliance with the requirements of this article, the City can order the activity stopped upon service of written notice upon the responsible owner and/ or operator. The owner and/ or operator shall immediately stop all activity until authorized in writing by the City to proceed. If the owner and/ or operator cannot be located, the notice to stop shall be posted in a conspicuous place upon area where the activity is occurring and shall state the nature of the violation. It shall be unlawful for any owner and/ or operator to fail to comply with a stop work order.
- (g) *Criminal penalties; enforcement costs.* It is unlawful and an offense for any person to violate or permit or cause violation of this article or the provisions of any discharge permit issued under this article. Violators shall be punishable as provided by state and municipal law, however that in addition to any other punishment there shall be imposed a fine of two hundred dollars (\$200) for each violation of any provision of this article. Each day, or part of a day, any violation of any provision of

this article. Each day, or part of a day, any violation occurs or continues is a separate offense.

- (h) *Violations deemed a public nuisance.* Any condition caused or permitted to exist in violation of any of the provisions of this article is a threat to public health, safety, and welfare, and is declared and deemed a public nuisance.

DRAFT



CITY OF BEAUFORT

DEPARTMENT REQUEST FOR CITY COUNCIL AGENDA ITEM

TO: CITY COUNCIL **DATE:** 6/3/2020
FROM: William Prokop, City Manager
AGENDA ITEM
TITLE: City Council Summer Meeting Schedule
MEETING
DATE: 6/9/2020
DEPARTMENT: City Managers Office

BACKGROUND INFORMATION:

Proposing taking the month of August off.

The last meeting before summer break would be July 28, 2020.

The first meeting after break will be September 8, 2020.

PLACED ON AGENDA FOR: Discussion

REMARKS: