

**TOWN OF ANDREWS**  
**MONTHLY COUNCIL VIRTUAL MEETING via Zoom/Facebook Live**  
101 NORTH MORGAN AVE.  
ANDREWS, SC 29510  
THURSDAY, MAY 28, 2020 @ 6:00 PM

DUE TO COVID19 (CORONAVIRUS) AND IMPLEMENTING SOCIAL DISTANCING MEASURES, THE TOWN COUNCIL MEETING WILL BE PHYSICALLY UNAVAILABLE TO ATTENDEES. THE MEETING WILL BE BROADCASTED VIA FACEBOOK LIVE FROM THE TOWN OF ANDREWS EMERGENCY OPERATIONS CENTER PAGE. ALL PUBLIC COMMENTS CAN BE SUBMITTED VIA TOA EOC FACEBOOK MESSENGER APP. CITIZENS CAN INBOX ANY CONCERNS FOR STAFF MEMBERS TO RESPOND.

**AGENDA**

1. CALL TO ORDER
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. ROLL CALL
5. APPROVAL OF MINUTES
  - A. THURSDAY, APRIL 9, 2020 TOWN COUNCIL WORKSHOP
  - B. THURSDAY, APRIL 16, 2020 MONTHLY TOWN COUNCIL MEETING
6. MONTHLY BANK STATEMENTS: FOR INFORMATION ONLY
7. FINANCIAL REPORT: KENNETH COBB AND COMPANY; MRS. BRENDA JACKSON, CPA
8. NEW BUSINESS
  - A. 1<sup>st</sup> Reading Ordinance Number 2020-03: Tall Grass and Weed Ordinance
  - B. 1<sup>st</sup> Reading Ordinance Number 2020-04: Hospitality Tax Ordinance
  - C. 1<sup>st</sup> Reading Ordinance Number 2020-05: Ordinance to modify the purchase price of burial plots within the Andrews Memorial Cemetery
  - D. 1<sup>st</sup> Reading Ordinance Number 2020-06: Ordinance to modify the Town of Andrews Water and Sewer Rates
  - E. 1<sup>st</sup> Reading Ordinance Number 2020-07: FY2020-2021 Annual Operating Budget Ordinance.
9. MAYOR'S REPORT
10. ADJOURNMENT

## Town of Andrews

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### **Regular Monthly Town Council Virtual Meeting via Zoom/Facebook Live Thursday, May 28, 2020 6:00 p.m.**

The Town of Andrews met for their Monthly Town Council Meeting on Thursday, April 16, 2020. Mayor Frank McClary presiding in compliance with the Freedom of Information Act, called the meeting to order at 6:00 p.m.

Invocation was rendered by Council Member Eddie Lee.  
Pledge of Allegiance was recited by everyone present.

#### **Town Officials Present:**

Mayor Frank McClary  
Mayor Pro Tem Bradley Prince  
Council Member Angela Anderson  
Council Member Eddie Lee  
Council Member Robert Stamper II  
Council Member Amy Flagler

Mayor McClary stated that due to COVID-19 (Coronavirus) and the implementation of social distancing measures, the physical meeting is closed to the public. The meeting is being broadcasted via Facebook Live from the Town of Andrews Emergency Operations Center page.

Motion was made by Council Member Eddie Lee and seconded by Council Member Amy Flagler to approve the minutes from the Thursday, April 9, 2020 Town Council Workshop and the Thursday, April 16, 2020 Regular Monthly Council Meeting as written. **Mayor Frank McClary; Yes, Mayor Pro Tem Bradley Prince; Yes, Council Member Angela Anderson; Yes, Council Member Eddie Lee; Yes, Council Member Robert Stamper II; Yes, Council Member Amy Flagler; Yes, motion carried.**

#### **Monthly Bank Statements**

The monthly financial statements were included in the Council's packet for informational purposes only.

#### **Financial Report**

Mrs. Brenda Jackson, CPA for the Town of Andrews presented Town Council Members with a review of the Budgeted versus Actual Revenues and Expenditures Financial Report for the Town of Andrews for month ending April 30, 2020.

#### **New Business**

**First Reading of Ordinance Number 2020-03 a Tall Grass and Weed Ordinance:** Motion was made by Council Member Eddie Lee and seconded by Council Member Angela Anderson to approve the first reading of Ordinance Number 2020-03 an ordinance to secure the public health, safety and welfare of the residents and property owners, by the control and regulation of the height of tall grass and weeds in subdivided lands and upon lands along improved streets within the town; to provide penalties for

the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith. **Mayor Frank McClary; Yes, Mayor Pro Tem Bradley Prince; Yes, Council Member Angela Anderson; Yes, Council Member Eddie Lee; Yes, Council Member Robert Stamper II; Yes, Council Member Amy Flagler; Yes, motion carried.**

**First Reading of Ordinance Number 2020-04 a Hospitality Tax Ordinance:** Motion was made by Mayor Pro Tem Bradley Prince and seconded by Council Member Eddie Lee to approve the first reading of Ordinance Number 2020-04 an ordinance establishing a uniform hospitality tax of two percent on the gross proceeds derived from the sales of prepared meals and beverages sold in or by establishments licensed for on-premises consumption of alcohol, beer or wine and to provide that the Town Clerk or other authorized agent of the Town is empowered to make inspections to audit books and records for purposes of enforcing the provisions of this ordinance. **Mayor Frank McClary; Yes, Mayor Pro Tem Bradley Prince; Yes, Council Member Angela Anderson; Yes, Council Member Eddie Lee; Yes, Council Member Robert Stamper II; Yes, Council Member Amy Flagler; Yes, motion carried.**

**First Reading of Ordinance Number 2020-05 an Ordinance to Modify the Purchase Price of Burial Plots Within the Andrews Memorial Cemetery:** Motion was made by Council Member Angela Anderson and seconded by Council Member Eddie Lee to approve the first reading of Ordinance Number 2020-05 an ordinance to modify the purchase price of plots within the Andrews Memorial Cemetery to eight hundred dollars (\$800.00) for residents and one thousand dollars (\$1000.00) for nonresidents. The purchase price shall be paid during the regular working hours of the Town Clerk. The purchase price shall be paid prior to the interment taking place. **Mayor Frank McClary; Yes, Mayor Pro Tem Bradley Prince; Yes, Council Member Angela Anderson; Yes, Council Member Eddie Lee; Yes, Council Member Robert Stamper II; Yes, Council Member Amy Flagler; Yes, motion carried.**

**First Reading of Ordinance Number 2020-06 an Ordinance to Modify the Water and Sewer Rates for the Town of Andrews:** Motion was made by Mayor Pro Tem Bradley Prince and seconded by Council Member Eddie Lee to modify the water and sewer rates for the Town of Andrews by 3.25% effective August 1, 2020, and in the future as required to adequately operate, maintain and provide better and more efficient service in the future. **Mayor Frank McClary; Yes, Mayor Pro Tem Bradley Prince; Yes, Council Member Angela Anderson; Yes, Council Member Eddie Lee; Yes, Council Member Robert Stamper II; Yes, Council Member Amy Flagler; Yes, motion carried.**

**First Reading of Ordinance Number 2020-07 an Ordinance to establish a FY2020-2021 Annual Operating Budget for the Town of Andrews:** Motion was made by Council Member Eddie Lee and seconded by Council Member Amy Flagler to approve the first reading of Ordinance Number 2020-07 a FY2020-2021 Annual Operating Budget for the Town of Andrews that includes \$1,918,550.00 General Fund Revenues and Expenditures; \$1,835,092.00 in Water & Sewer Revenues and Expenditures; 137 Millage Rate. **Mayor Frank McClary; Yes, Mayor Pro Tem Bradley Prince; Yes, Council Member Angela Anderson; Yes, Council Member Eddie Lee; Yes, Council Member Robert Stamper II; Yes, Council Member Amy Flagler; Yes, motion carried.**

**Mayor's Report**

Mayor McClary stated that we are still operating under a State of Emergency and encouraged all to refer to the Governor's latest Executive Order for guidance on how to remain safe and to practice the proper social distance guidance. The recent flooding is a major concern of the Council. The Town unfortunately doesn't have the responsibility or the resources to find remedies for such unexpected disasters. However, members of Town Council have reached out to State Representatives for possible funding to address a storm drain mitigation plan and to SC Department of Transportation demanding that they perform their required routine maintenance within the Town of Andrews, specifically in the identified flood prone areas. Mayor McClary stated that animal control is another challenging issue because the Town doesn't have the resources to handle the issue. It will cost the Town \$75,000.00 to enter into an agreement with the local human society to take care of the animal population from Andrews. Council Member Rob Stamper thanked County Councilman Raymond Newton, Council Member Eddie Lee, Sel Hemingway from Congressman Tom Rice's office and town employees for all working together to assist those who experienced flooding over this past week. It was announced that the Andrews Recreational Center is scheduled to open June 1<sup>st</sup>. Town Officials and Department Heads recently met with the contractors for the New Municipal Complex and reviewed the final design plans. The construction of the facility is scheduled to be completed within 18 months. In conclusion, Council Member Angela Anderson thanked Mayor McClary for his leadership of the Town of Andrews.

**Adjournment**

Motion was made by Council Member Eddie Lee and seconded by Council Member Rob Stamper to adjourn the meeting at 7:45 p.m.

***Town Council Meeting minutes submitted by Town Clerk Chaconas Parson.***

**TOWN OF ANDREWS  
TALL GRASS AND WEED ORDINANCE # 2020-03**

An ordinance to secure the public health, safety and welfare of the residents and property owners, by the control and regulation of the height of tall grass and weeds in subdivided lands and upon lands along improved streets within the town; to provide penalties for the violation thereof and to repeal all ordinances or parts of ordinances in conflict therewith.

**TOWN OF ANDREWS,  
GEORGETOWN COUNTY, SOUTH CAROLINA ORDAINS:**

**SECTION 1. Title and Applicable Seasons.**

This ordinance shall be known and cited as the Town of Andrews Tall Grass and Weed Ordinance, and shall be applicable and in full force and effect year round.

**SECTION 2. Purpose**

The Town hereby finds that tall grass and weeds can have a blighting effect on neighborhoods and can provide a refuge for vermin and insects. The purpose of this ordinance is to secure the public health, safety and general welfare of the residents and property owners of Town of Andrews by regulating the height grass and weeds is allowed to grow in certain areas of the Town in which more people reside in close proximity.

**SECTION 3. Definitions**

- A. Grass:** any type of grass or weed, but not including crops grown as a source of income, including but not limited to corn, oats or barley.
- B. Weeds:** "weeds" shall include all noxious weeds including grass over six (6) inches in height, other than that part of a vegetable or flower garden, is regarded as a common nuisance.
- C. Owner:** any person holding an ownership interest in land in the Town of Andrews upon which there is tall grass growing. For the purposes of this Ordinance, the name and address listed on the tax assessment roll shall indicate ownership interest in such land.

- D. Occupant:** any person who has the right to occupy a parcel of property due to being an owner or pursuant to a verbal or written lease or rental agreement with the owner or agent thereof
- E. Land Used for Agriculture:** the use of land for tilling of the soil, the raising of field or tree crops or animal husbandry, as a source of income.

#### **SECTION 4. Land Subject to Regulations**

- A.** This ordinance applies to all lots and parcels in all zones within the Town limits of Andrews.
- B.** This ordinance does not apply to:
  - 1. Land used for agricultural purposes including weeds in fields devoted to growing any small grain crops such as wheat, oats, barley, or rye.
  - 2. Portions of lots used for flower gardens, shrubbery or vegetable gardens.
  - 3. Naturally wooded areas, regulated wetlands or meadows.

#### **SECTION 5. Duty to Cut Grass**

The owner and/or occupants of land to which this ordinance applies shall not allow tall grass or weeds to grow over six inches (6") in height throughout the growing season, including grass and weeds in the right-of-way, and it shall be the duty of all owners and/or occupants of land located in Town of Andrews either to cut or otherwise destroy by lawful means all tall grass and weeds, as defined in this ordinance, which are growing upon said property, before they reach a seed-bearing stage, and to prevent said weeds from perpetuating themselves and from becoming a detriment to public health. On an undeveloped lot, tall grass and weeds must be cut back at a distance of at least thirty (30) feet from the roadway so as to allow a clear line of site.

#### **SECTION 6. Unlawful Acts**

It shall be unlawful for the owner and/or occupant of any lot or parcel of land to which this ordinance applies to allow or maintain upon any portion of such lot or parcel any growth of tall grass or weeds as defined herein, or to permit the deposit or accumulation upon any portion of such lot or parcel of land, of any brush, yard debris, dead vegetation, or cut grass or weeds so as to create a nuisance due to unsightliness, an unhealthy or unsafe condition, or traffic hazard, or fire hazard. Growth of grass to a height greater than six (6) inches shall be considered to be a nuisance for the purposes of this section.

## **SECTION 7. Enforcement**

- A. Enforcement Officer.** This Ordinance shall be enforced by such persons who shall be so designated by the Town, who shall for purposes of this ordinance be the Town of Andrews Ordinance Enforcement Officer (OEO).
- B. Right of Entry.** The Ordinance Enforcement Officer and his or her authorized representatives are hereby empowered to enter upon any premises or land in the Town of Andrews for the purpose of inspecting, removing of and/or destroying of tall grass and weeds prohibited under this ordinance. No person shall interfere with such person or person while they are engaged in carrying out the provisions of this ordinance.
- C. Violation Notice.** After inspection, if any property is determined to be in violation of this ordinance, a Violation Notice will be sent to the property owner and/or occupant of said premises in which the name appears in the last local assessment record of the Town. The notice shall be sent by both first class and/or by posting a copy of said notice on the property. The notice shall give the property owner fifteen (15) days from the date of the notice to cut the tall grass and weeds.
- D. Failure to Comply.** If the tall grass and weeds are not cut within fifteen (15) days the OEO shall have the authority to enter upon the land and/or to cause the lawn to be mowed by an authorized representative who is hereby empowered to enter upon any premises or land in the Town of Andrews for the purpose of mowing tall grass and weeds in violation of this ordinance even if the property owner and/or occupant failed to actually receive said notice. The Town of Andrews, its agents and representatives shall not be responsible for damage to buildings, vehicles, landscape, trees, shrubs, etc., during the mowing of property in violation of this ordinance.
- E. Assessment of costs.** All expenses of such cutting, to include equipment usage, transportation, man-hours involved, and overhead, including any and all cost incurred in the removal or relocation of debris, junk or other miscellaneous obstructions which would be necessary or convenient to carry out the requirements of this Ordinance shall be paid by the owners of such land plus an administrative charge of fifteen (15%) percent, thereof per residential parcel, per cutting. After having a lot mowed, the Town shall then submit a bill to the property owner for the cost of the mowing. If the property owner does not pay the bill within sixty (60) days of the date of the invoice the cost of such payment shall be charged against the premises and it shall become a lien on the land or property assessed of the same character in effect as the lien created by general law for taxes, plus an additional delinquency fee of 10% per month until paid.

## **Section 8. Penalties**

- A.** Any violation of this Ordinance shall be a Town of Andrews Code Violation, subject to payment of a civil fine of not less than \$100.00, plus applicable costs and other sanctions for each violation.
- B.** Repeat offenses under this ordinance shall be subject to increased fines as provided by this Section. As used in this Section, "repeat offense" means a second (or any subsequent) violation of the same requirement or provision of this Ordinance within any three (3) year period for which the person admits responsibility or is determined to be responsible. The increased fine for a repeat offense under this Ordinance shall be as follows:
  - 1. The fine for any offense which is a first repeat offense shall be not less than \$125.00 plus costs.
  - 2. The fine for any offense which is a second repeat offense shall be not less than \$250.00 plus costs.
  - 3. The fine for any offense which is a third repeat or any subsequent repeat offense, shall be not less than \$400.00 each plus costs.
- C.** Each day on which any violation of this Ordinance occurs or continues, constitutes a separate offense subject to separate sanctions.
- D.** If there is any evidence of retaliation by any offender against any complainant or witness, such evidence shall be communicated to the Municipal Court. In sentencing any violator, the Municipal Court or Magistrate shall first examine the evidence of retaliation, and if such be shown, shall consider such acts, including the amount of property damage, and sentence the violator accordingly, which sentence may include restitution for any damage.

## **Section 9. Declaration of Nuisance**

Any violation of any provision of this Ordinance is hereby declared to be a nuisance and the Town may seek enforcement of the Ordinance by suit for injunction, damages, or other appropriate legal action, as against a nuisance, at the expense of the property owner, including reasonable attorney fees. Any such civil action shall be in addition to any prosecution for violations of this Ordinance as a Municipal Civil Infraction, commencement of any such proceedings shall not constitute an election of remedies.

## **Section 10. Severability**

The several provisions of this ordinance are declared to be separate; if any Court shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.

**Section 11. Effective Date**

This ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

**IT IS SO ORDAINED.**

\_\_\_\_\_  
**Frank McClary, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Chaconas P. Parson, Town Clerk**

**First Reading: May 28, 2020**

**Second Reading: June 18, 2020**

**TOWN OF ANDREWS**  
**HOSPITALITY TAX ORDINANCE # 2020-04**

TO PROVIDE FOR A UNIFORM HOSPITALITY TAX OF TWO PERCENT ON THE GROSS PROCEEDS DERIVED FROM THE SALES OF PREPARED MEALS AND BEVERAGES SOLD IN OR BY ESTABLISHMENTS OR THE SALES OF PREPARED MEALS AND BEVERAGES SOLD IN OR BY ESTABLISHMENTS LICENSED FOR ON- PREMISES CONSUMPTION OF ALCOHOL, BEER OR WINE AND TO PROVIDE THAT THE TOWN CLERK OR OTHER AUTHORIZED AGENT OF THE TOWN IS EMPOWERED TO MAKE INSPECTIONS TO AUDIT BOOKS AND RECORDS FOR PURPOSES OF ENFORCING THE PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND TOWN COUNCILMEMBERS OF ANDREWS:

**Section 1.**

Municipal Hospitality Tax

(a) Municipal Hospitality Tax

There is hereby imposed a uniform tax of two percent (2%) on the gross proceeds derived from the sales of prepared meals, food, and beverages sold in or by establishments, or sales of prepared meals, food and beverages sold in or by establishments licensed for on-premises consumption of alcoholic beverages, beer or wine.

(b) Payment of Municipal Hospitality Tax

The tax imposed by this Ordinance shall be collected from any patron when they tender payment for their meal, food, or beverage and shall be held in trust for the benefit of the Town until the same is paid to the Town Clerk/Accounts Payable as hereinafter provided. Every establishment subject to this Ordinance shall, on the date or within the time period hereinafter prescribed, make a return to the Town Clerk/Accounts Payable of the Town on forms provided by the office delineating gross proceeds of sales of prepared meals, food, and beverages for the previous month, and the amount of the tax due by virtue of this Ordinance. At the time the return is filed, the full amount of any tax due hereunder shall be remitted. Taxes and required reports shall be submitted to the Town Clerk/Accounts Payable by the twentieth (20) day of the month and shall cover sales of the previous month. If the due date for reporting and payment falls on a Saturday or Sunday, or a Federal, State, or Town of Andrews observed holiday then reporting and payment are considered timely on the following business day. Furthermore, if the due date for reporting and payment falls during the period of a natural disaster which directly precluded the responsible party from timely submitting the reports and payments, an additional ten (10) day extension may be granted upon written request by the taxpayer to the Town Clerk/Accounts Payable. A natural disaster is defined as a hurricane, earthquake, flood, or tornado. The responsible party is considered directly precluded from timely submitting reports and payments if their offices are deemed by emergency officials to be damaged to the extent of being unsafe or unavailable for use due to the disaster or postal service to the immediate area

is suspended during the due date. Any taxes not timely remitted shall be subject to a penalty of twenty-five (25%) percent. The failure to collect from patrons the tax imposed by this Ordinance shall not relieve any establishment subject to this Ordinance from making the required remittance.

(c) Hospitality Tax Account

There is hereby established a special account, to be known as the hospitality tax account, into which all monies remitted to the Town under this Ordinance shall be deposited. Any and all funds in the hospitality tax account, including any interest as may accrue thereon, shall be used only for the purposes as set forth in S.C. Code Ann. Sec. 6-1-730, as the same may from time to time be amended. Title 6, Chapter 1, Article 7 of the SC Code of Laws shall be attached to the ordinance for reference.

(d) Inspections, Audits and Administration

For the purpose of enforcing this Ordinance, the Town Clerk or other authorized agent of the Town is empowered to enter upon the premises of any person or entity subject to this Ordinance and to make inspections, and examine and audit books and records. It shall be unlawful for any person or entity to fail or refuse to make available the necessary books and records during normal business hours upon 24 hours written notice. In the event an audit reveals that false information has been filed by the remitter, the cost of the audit shall be added to the correct amount of fees determined to be due. The Town Clerk or other authorized agent may make systematic inspections of all establishments within the Town to ensure compliance with this Ordinance. The Director of the Town Clerk shall administer the provisions of this Ordinance and make reasonable regulations relating to its administration.

(e) Violations

It shall be a violation of this Ordinance to:

1. Fail to collect the Municipal Hospitality Tax in connection with the sale of meals, food, and beverages;
2. Fail to remit to the Town the taxes collected pursuant to this Ordinance on a monthly basis;
3. Provide false information on the form of return submitted to the Town;
4. Fail to provide or make available books and records to the Town Clerk or other authorized agent for the purpose of an audit upon 24 hours written notice; or,
5. Fail to comply with any other specific provision/requirement of this Ordinance. The failure of an establishment subject to this Ordinance to remit to the Town the taxes required by the Ordinance, as and when due, shall constitute a misdemeanor, punishable by a fine of not more than \$500.00 or imprisonment for up to thirty (30) days, or both. Notwithstanding the

foregoing, any misrepresentation of the information required by return(s) as set forth in subsection (b) hereof or the failure to collect or timely remit to the Town the taxes imposed by this Ordinance shall result in the suspension and/or revocation of the business license of the offending establishment, or the business license of the offending establishment shall not be renewed, as may be determined, after an investigation. At least ten (10) days notice of such hearing shall be provided to the owner of the applicable establishment.

(f) Severability

If any section, phrase, sentence or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions herein.

**Section 2.** This Ordinance shall be effective as of its second and final reading.

**IT IS SO ORDAINED.**

\_\_\_\_\_  
**Frank McClary, Mayor**

**ATTEST:**

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**Chaconas P. Parson, Town Clerk**

**First Reading: May 28, 2020**

**Second Reading: June 18, 2020**

## ARTICLE 7

### Local Hospitality Tax

#### **SECTION 6-1-700.** Short title.

This article may be cited as the "Local Hospitality Tax Act".

HISTORY: 1997 Act No. 138, Section 9.

#### **SECTION 6-1-710.** Definitions.

As used in the article:

- (1) "Local governing body" means the governing body of a county or municipality.
- (2) "Local hospitality tax" is a tax on the sales of prepared meals and beverages sold in establishments or sales of prepared meals and beverages sold in establishments licensed for on-premises consumption of alcoholic beverages, beer, or wine.
- (3) "Positive majority" means a vote for adoption by the majority of the members of the entire governing body, whether present or not. However, if there is a vacancy in the membership of the governing body, a positive majority vote of the entire governing body as constituted on the date of the final vote on the imposition is required.

HISTORY: 1997 Act No. 138, Section 9.

#### **SECTION 6-1-720.** Imposition of local hospitality tax.

(A) A local governing body may impose, by ordinance, a local hospitality tax not to exceed two percent of the charges for food and beverages. However, an ordinance imposing the local hospitality tax must be adopted by a positive majority vote. The governing body of a county may not impose a local hospitality tax in excess of one percent within the boundaries of a municipality without the consent, by resolution, of the appropriate municipal governing body.

(B) All proceeds from a local hospitality tax must be kept in a separate fund segregated from the imposing entity's general fund. All interest generated by the local hospitality tax fund must be credited to the local hospitality tax fund.

HISTORY: 1997 Act No. 138, Section 9.

#### **SECTION 6-1-730.** Use of revenue from local hospitality tax.

(A) The revenue generated by the hospitality tax must be used exclusively for the following purposes:

- (1) tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums;
- (2) tourism-related cultural, recreational, or historic facilities;
- (3) beach access and renourishment;
- (4) highways, roads, streets, and bridges providing access to tourist destinations;
- (5) advertisements and promotions related to tourism development; or
- (6) water and sewer infrastructure to serve tourism-related demand.

(B)(1) In a county in which at least nine hundred thousand dollars in accommodations taxes is collected annually pursuant to Section 12-36-920, the revenues of the hospitality tax authorized in this article may be used for the operation and maintenance of those items provided in (A)(1) through (6) including police, fire protection, emergency medical services, and emergency-preparedness operations directly attendant to those facilities.

(2) In a county in which less than nine hundred thousand dollars in accommodations taxes is collected annually pursuant to Section 12-36-920, an amount not to exceed fifty percent of the revenue in the preceding fiscal year of the local hospitality tax authorized pursuant to this article may be used for the additional purposes provided in item (1) of this subsection.

HISTORY: 1997 Act No. 138, Section 9; 1999 Act No. 93, Section 14; 2006 Act No. 314, Section 2, eff June 1, 2006; 2010 Act No. 290, Section 36, eff January 1, 2011.  
Effect of Amendment

The 2006 amendment, in subsection (B), designated subparagraph (1) and added subparagraph (2).

The 2010 amendment, in subsection (B)(2), substituted "fifty" for "twenty".

**SECTION 6-1-740.** Cumulative rate of local hospitality tax.

The cumulative rate of county and municipal hospitality taxes for any portion of the county area may not exceed two percent, unless the cumulative total of such taxes was in excess of two percent or were authorized to be in excess of two percent prior to December 31, 1996, in which case the cumulative rate may not exceed the rate that was imposed or adopted as of December 31, 1996.

HISTORY: 1997 Act No. 138, Section 9.

**SECTION 6-1-750.** Local hospitality tax revenue upon annexation.

In an area of the county where the county has imposed a local hospitality tax that is annexed by a municipality, the municipality must receive only that portion of the revenue generated in excess of the county local hospitality tax revenue for the previous twelve months in the area annexed.

HISTORY: 1997 Act No. 138, Section 9.

**SECTION 6-1-760.** Ordinances prior to March 15, 1997; calculation; revenue.

(A) With respect to capital projects and as used in this section, "tourist" means a person who does not reside in but rather enters temporarily, for reasons of recreation or leisure, the jurisdictional boundaries of a municipality for a municipal project or the immediate area of the project for a county project.

(B) Notwithstanding any provision of this article, any ordinance enacted by county or municipality prior to March 15, 1997, imposing an accommodations fee which does not exceed the three percent maximum cumulative rate prescribed in Section 6-1-540, is calculated upon a base consistent with Section 6-1-510(1), and the revenue from which is used for the purposes enumerated in Section 6-1-530, remains authorized and effective after the effective date of this section. Any county or municipality is authorized to issue bonds, pursuant to Section 14(10), Article X of the Constitution of this State, utilizing the procedures of Section 4-29-68, Section 6-17-10 and related sections, or Section 6-21-10 and related sections, for the purposes enumerated in Section 6-1-530, to pledge as security for such bonds and to retire such bonds with the proceeds of accommodations fees imposed under Article 5 of this chapter, hospitality fees imposed under this chapter, state accommodations fees allocated pursuant to Section 6-4-10(1), (2), and (4), or any combination thereof, and the pledge of such other nontax revenues as may be available for those purposes for capital projects used to attract and support tourists.

HISTORY: 1997 Act No. 138, Section 10; 2010 Act No. 284, Section 1, eff upon approval (became law without the Governor's signature on June 28, 2010).

**Code Commissioner's Note**

This section was classified as Section 6-1-760 at the direction of the Code Commissioner.

**Effect of Amendment**

The 2010 amendment rewrote this section.

**SECTION 6-1-770.** Remitting tax to local governing body; frequency determined by estimated average amounts.

The tax provided for in this article must be remitted to the local governing body on a monthly basis when the estimated amount of average tax is more than fifty dollars a month, on a quarterly basis when the estimated amount of average tax is twenty-five dollars to fifty dollars a month, and on an annual basis when the estimated amount of average tax is less than twenty-five dollars a month.

HISTORY: 1998 Act No. 419, Part II, Section 63B.

**TOWN OF ANDREWS  
ORDINANCE NO. 2020-05**

**AN ORDINANCE AMENDING THE PURCHASE PRICE OF A PLOT IN THE  
ANDREWS MEMORIAL CEMETERY.**

**WHEREAS** the Town of Andrews operates an authorized cemetery within the limits of the Town called the Andrews Memorial Cemetery;

**WHEREAS** the Town of Andrews currently charges \$500.00 to purchase a plot in Andrews Memorial Cemetery for residents and \$700.00 for non-residents of the Town; and

**WHEREAS** the cost of maintaining, the cemetery has increased over time; and

**WHEREAS** the modification of the purchase price of a plot is set forth by the Town Council; and

**WHEREAS** the Town Council finds that it is in the best interest of the Town to increase the purchase price for a plot in the Andrews Memorial Cemetery.

**NOW THEREFORE, BE IT ORDAINED THAT:** The Town Council of Andrews hereby adopts this ordinance pursuant to the aforesaid provisions of the Constitution and/or the laws of the State of South Carolina. The Town Council has the authority to set the price for each burial lot to be sold from time to time by ordinance. The purchase price shall be paid during the regular working hours of the Town Clerk. The purchase price shall be paid prior to the interment taking place. Until modified by Town Council, the purchase price payable hereafter for a burial lot shall be seven hundred dollars (\$800.00) for residents and nine hundred dollars (\$1,000.00) for nonresidents.

**Section 2. Effective Date of Ordinance.** This Ordinance shall take effect after its authorized adoption or on July 1, 2020.

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**Frank McClary, Mayor**

**ATTEST:**

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**Chaconas Parson, Town Clerk**

**First Reading: May 28, 2020**

**Second Reading: June 18, 2020**

**ORDINANCE NUMBER 2020-06  
TOWN OF ANDREWS, SOUTH CAROLINA**

**AN ORDINANCE TO MODIFY THE WATER AND SEWER RATES FOR THE  
TOWN OF ANDREWS, SOUTH CAROLINA**

**BE IT ORDAINED AND RESOLVED BY THE TOWN COUNCIL AND MAYOR OF  
ANDREWS, SOUTH CAROLINA, AS FOLLOW:**

**Section 1. Findings:** The Town Council and Mayor (“the Council”), as the governing body of the Town of Andrews, South Carolina, (“the Town”), hereby finds and determines

- a) The Town of Andrews is charged with maintaining the Public Water and Sanitary Sewer Systems within the Town for the present and future needs, and;
- b) The Town was required to conduct a Viability and Utility Rate Study, by SCDHEC in 2015, and;
- c) The study found that the Town’s current user fees and rates did not generate sufficient income for the full proper and prudent operation, management, maintenance and public safety of the water and sewer systems and to provide for the necessary reserves for future needs and SCDHEC mandates, and;
- d) An increase in the water and sewer rates is necessary to maintain the integrity of the current water and sewer systems and to provide for future expansion and for anticipated mandates, and;
- e) SCDHEC has mandated the updating of the existing rate structure with a new rate structure based on a monthly base charge on meter size and volumetric rate, and;
- f) Notice will be provided that the rates for water and sewer will increase by 3.25% effective August 1, 2020, and in the future as required to adequately operate, maintain and provide better and more efficient service in the future;
- g) Town Council finds it necessary to amend the rates pursuant to the Study’s findings and SCDHEC mandates as to provide for the operation, management and maintenance needs of the water and sewer utility systems of the Town, and;
  - 1) Until changed pursuant to appropriate action of the council, the following shall be the schedule of rates or charges for the water and sewer services afforded by the Public Water and Sanitary Sewer Systems:

**TOWN OF ANDREWS  
Water & Sewer Rates**

| <u>Meter Size</u>        |              | <u>Water Meter Charge</u> | <u>Sewer Meter Charge</u> |
|--------------------------|--------------|---------------------------|---------------------------|
|                          | ¾"           | \$ 12.91                  | \$ 14.17                  |
|                          | 1"           | \$ 33.10                  | \$ 36.22                  |
|                          | 1 ½"         | \$ 64.52                  | \$ 70.88                  |
|                          | 2"           | \$ 75.84                  | \$ 113.38                 |
|                          | 3"           | \$ 292.54                 | \$ 321.24                 |
|                          | 4"           | \$ 322.65                 | \$ 354.33                 |
|                          | 6"           | \$1,032.92                | \$ 1,133.88               |
| <br><u>VOLUME CHARGE</u> |              |                           |                           |
|                          | <u>WATER</u> |                           | <u>SEWER</u>              |
| Inside                   | \$ 3.86      |                           | \$ 4.99                   |
| Outside                  | \$ 7.88      |                           | \$10.15                   |

**NOW THEREFORE, BE IT ORDAINED THAT:** The Town of Andrews hereby adopts this ordinance whereby the Town Council and Mayor, pursuant to the aforesaid provisions of the Constitution and/or the laws of the State of South Carolina, the Town does hereby vote upon the passage of this ordinance.

**Section 2. Effective Date of Ordinance.** This Ordinance shall take effect after its authorized adoption or on June 28, 2020.

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**Mayor Frank McClary**

**ATTEST:**

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**Chaconas Parson, Clerk**

**First Reading: May 28, 2020**

**Second Reading: June 18, 2020**

**PROPOSED ORDINANCE NUMBER 2020-07**  
**FY2020-2021 Annual Operating Budget**

Be it ordained by the Mayor and Council of the Town of Andrews  
that the FY2020-2021 Annual Operating Budget is as follows:

General Fund Revenues: \$1,918,550.00

General Fund Expenditures: \$1,918,550.00

Millage Rate 137

Water & Sewer Fund Revenues \$1,835,092.00

Water & Sewer Fund Expenditures \$1,835,092.00

This Ordinance shall be effective on the date of the final (second) reading.

TOWN OF ANDREWS, SOUTH CAROLINA

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**Mayor Frank McClary**

**ATTEST:**

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**Chaconas Parson, Town Clerk**

**First Reading: May 28, 2020**

**Public Hearing: June 18, 2020**

**Second Reading: June 18, 2020**