

ORDINANCE NO.: 2011-092

Granting an encroachment to Timothy G. Adams, Sr. for installation and maintenance of a brick wall and landscaping within the right of way adjacent to 29 Samson Circle, Richland County TMS #14203-14-11

ORIGINAL
STAMPED IN RED

WHEREAS, Timothy G. Adams, Sr., (hereinafter "Grantees") desires to utilize a portion of the right of way area adjacent to his property at 29 Samson Circle, Richland County TMS #14203-14-11, for installation and maintenance of a brick knee wall approximately eighteen (18") inches in height, forty-five (45') feet in length and twelve (12") inches in width, and landscaping, as shown on the attached drawing; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the sidewalk or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this 20th day of December, 2011, that Grantee, his successors and assigns are hereby granted the right to utilize a portion of the right of way area adjacent to 29 Samson Circle, Richland County TMS #14203-14-11, for installation and maintenance of a brick knee wall approximately eighteen (18") inches in height, forty-five (45') feet in length and twelve (12") inches in width, and landscaping, as shown on the attached drawing.

ALL WORK SHALL COMPLY with the requirements of The City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

PROVIDED, HOWEVER, that in exercising the privileges granted under this ordinance, Grantee, his successors and assigns, will indemnify and save harmless the City from any and all claims or causes of action which may arise by reason of the construction or maintenance of the aforesaid encroachment.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
2. Landscaping to be maintained by homeowner.
3. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.

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PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, his successors and assigns.

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of \$600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and filed annually with the City Clerk by Grantee, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at his expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

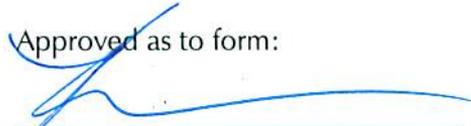
Timothy G. Adams, Sr.


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 12/13/2011
Final Reading: 12/20/2011

**CITY COUNCIL
ENCROACHMENT SUMMARY
2011-092**



Adjacent to 29 Samson Circle

Subject Property: Adjacent to 29 Samson Circle, TMS# 14203-14-11

Council District: 1

Proposal: Request approval to for installation and maintenance of a brick knee wall approximately eighteen (18") inches in height, forty-five (45') feet in length and twelve (12") inches in width, and landscaping.

Applicant: Timothy G. Adams, Sr.

Staff Recommendation: Approve

Conditions: Standard conditions

Detail: The homeowner proposes to construct a low wall at this location to prevent flooding. The characteristics of the land and road conspire to allow water to infiltrate and flood the lot. This wall is intended to deter this flooding. Staff finds no adverse impacts.

CITY AGENCY COMMENTS FOR ENCROACHMENT

Planning & Development	Recommend Approval
Streets	Recommend Approval
Utilities & Engineering	Recommend Approval
Fire Department	Recommend Approval
Forestry	Recommend Approval
Land Development	Recommend Approval

REQUEST FOR AN ENCROACHMENT ORDINANCE

For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) *Business signs are NOT permitted via an encroachment.* *An encroachment must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and is subject to review and approval by City staff.* *Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required.* *In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your homeowners' policy with limits being increased to \$600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management.*

Please complete and submit this form along with any attachment(s) to Shari Ardis by e-mail at slardis@columbiasc.net ; fax at 803-737-4250; or mail to Shari Ardis, Legal Department, POB 147 Columbia, SC 29217, for preparation of an encroachment ordinance. Copies to City departments should be directed to the contact person for that department as shown below and not through the Legal Department. Chip Timmons with Risk Management (733-8306 or catimmons@columbiasc.net) should be contacted regarding the insurance requirements.

Date: 10-27-11 Property Owner: Timothy G. Adams Sr.
 Applicant's Name if different from Property Owner: Same
 Contact Information: Telephone Number: 419-3738 Fax Number: 419-3739
 Mailing address: G TANN GRAPHIX @BELLSOUTH.NET E-mail address: 29SAMSON@CIRCLE
 Encroachment Location (Address): 29 SAMSON CIRCLE R14205-14-A
 (If corner lot, include name and block number of side street, i.e., 1737 Main Street and 1100 block of Laurel Street)

Tax Map Number for Encroachment Location: _____

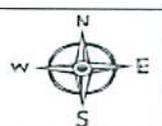
Encroachment type: Wall Fence Columns Steps Irrigation System Landscaping Driveway Pavers
 Walkway/Side walk Underground Utilities other

If Other - specify: _____
 Dimensions (height/width/length): 18" X 45' 3"

(i.e., 6'x42' wooden privacy fence; two 12"x4' concrete step; two 12"x12" x24" brick columns; 4'x15' brick paver walkway)

Construction material: _____
 Please provide photographs and drawing or site plan **drawn to scale** - no larger than 8-1/2 x 11.

Church Directional Signs (Must provide picture or drawing of proposed signs that reflect dimensions)
 Location(s) signs are to be placed (i.e. Northeast corner of Main Street) _____



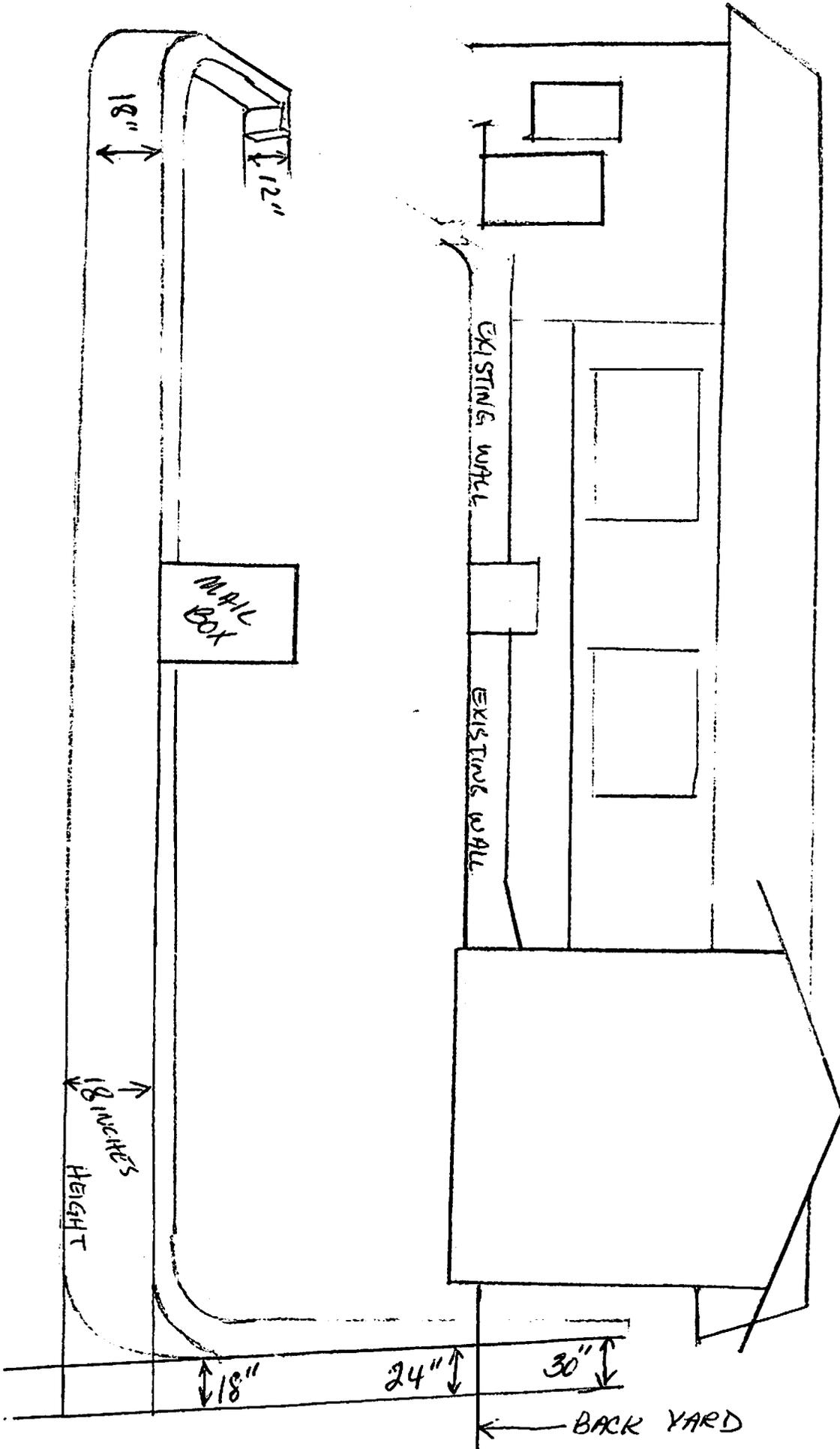
Businesses only: Outdoor dining No. of chairs: _____ No. of Tables: _____
 Hours of operation for outdoor dining: _____
 Number of planters: _____ Awning: _____ (dimensions - size/material) _____
 Other: _____ (or complete applicable "Encroachment type" section above)

The proposed ordinance will be sent to the requesting party and City offices for review and approval. Krista Hampton will compile the recommendations and forward them to the City Clerk for scheduling before City Council. This process may take from 30-90 days.

Contact	Department	Telephone Number	Fax Number
Joey Jaco	Utilities & Engineering	545-3400	988-8199
Missy Gentry	Public Works	545-3780	733-8648
Krista Hampton	Planning and Development Services	545-3420	733-8647
Jerry Thompson	Building Official	545-3442	733-8699
Sara Hollar	Forestry & Beautification	545-3860	733-8648
Amy Moore	Historic Preservation	545-3222	733-8647
Fred Delk	Columbia Dev. Corporation	988-8040	988-8039
Chip Timmons	Risk Management	733-8306	733-8245
Dana Higgins	Construction Management	545-3372	545-4130
David Brewer	Traffic Engineering	545-3850	733-8648
Robert Sweatt	Street Division	545-3790	545-3785
Jonathan Chambers	Planning and Development Services	545-3206	343-8779
Carmen Floyd	Fire Marshall	545-3703	401-8839
Nancy Lee Trihey	Planning and Development Services	545-3218	733-8647
John Fellows	Planning and Development Services	545-3222	733-8647

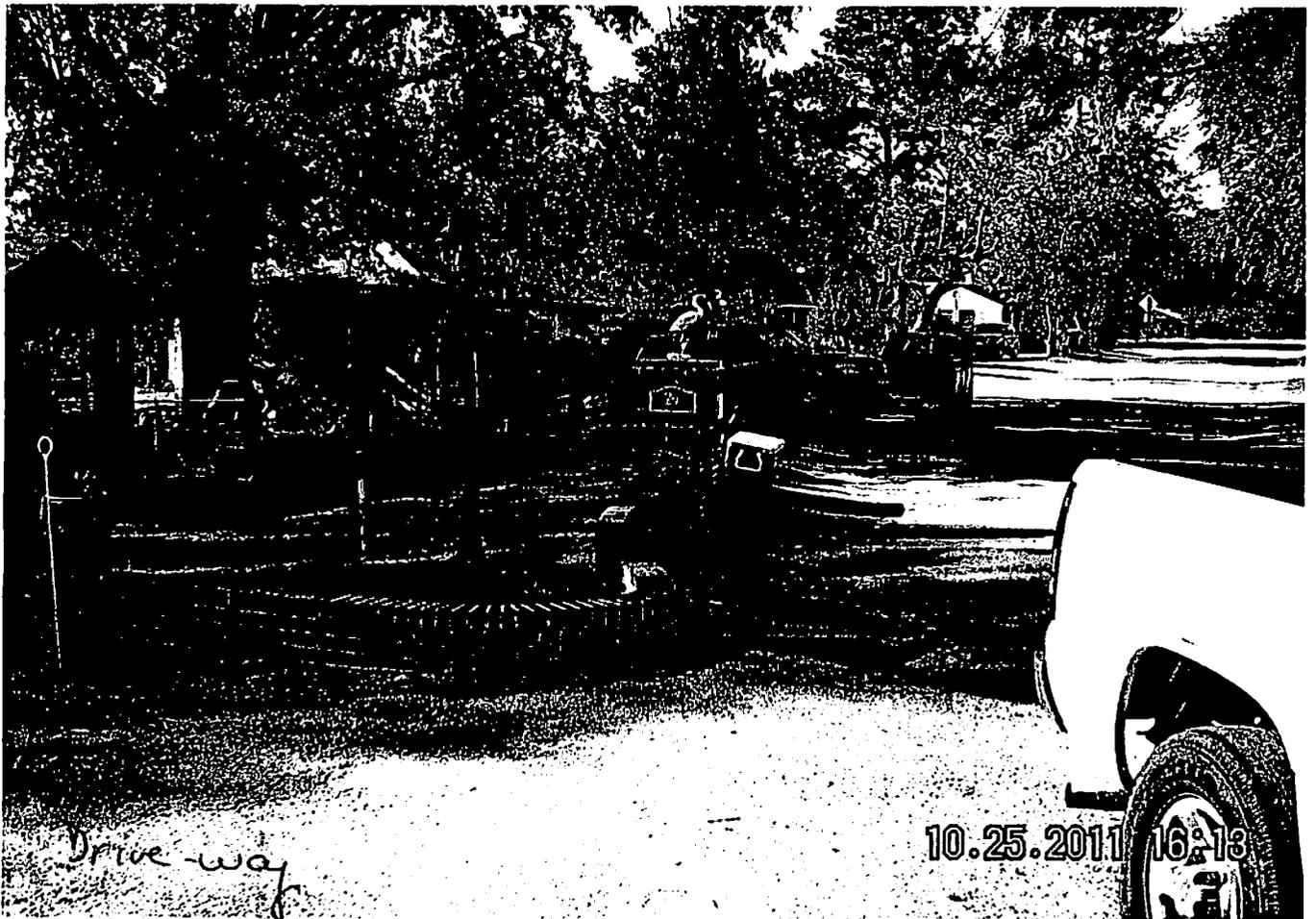


Matter No.: 11101766
 Attorney: SLA
 Date In: 10-27-11
 File No.: 2011-092
 Date Out: 11/8/11





10.25.2011 16:12



Drive-way

10.25.2011 16:13

29 SAMSON

Richland County Map



ORDINANCE NO.: 2011-081

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-152 Sewer plant expansion fee (b)

BE IT ORDAINED by the Mayor and Council this 20th day of December, 2011, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article V, Water and Sewer Rates, Sec. 23-152, Sewer plant expansion fee (b) is amended to read as follows:

Sec. 23-152 Sewer plant expansion fee.

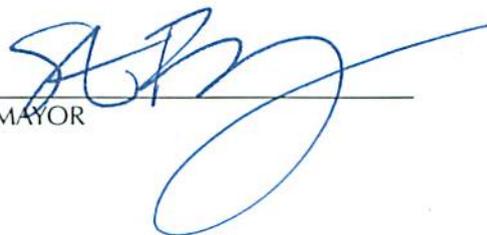
(a) *Amount.* In addition to those fees established and required by section 23-148, a sewer plan expansion fee shall be required to be paid prior to each sewer service connection to offset the cost of constructing increased treatment plant and collection system capacity or capital expenditures to retain current system capacity in accordance with the capital improvement plan of the City of Columbia. The costs of construction or expenditures to retain current system capacity shall include design and engineering costs, materials, labor and debt service on any bonds which may be issued to provide the intended plant capacity increase. The amount of the expansion fee for each connection shall be computed by multiplying the number of taps required for each application in accordance with section 23-148 times \$1,320.00 from July 1, 2007 until December 31, 2007 and times \$2,640.00 thereafter.

(b) *Extended payment.* At the time of application for the sewer service connection, applicant may elect to pay the entire fee in full or pay the fee, or any portion thereof, in forty-eight (48) equal monthly installments with interest thereon at an annual interest rate, during each fiscal year (July 1 - June 30), equal to the prime rate as listed in the first edition of the Wall Street Journal published in the month of May which precedes the upcoming fiscal year plus 2.5 percentage points. The monthly payments for the plant expansion fee shall be added to and collected with the monthly sewer bill for the property to be served commencing with the first sewer bill, and shall be collected in the same manner as any other sewer charges by the City of Columbia. In the event of the sale of the property being served by the sewer connection, the unpaid portion of the fee subject to the extended payment in accordance with this section shall be immediately due and payable unless Purchaser(s) assume the extended payment obligation at closing. Unless Purchaser(s) apply for transfer of sewer service and/or assume or pay in full the unpaid extended payment, no further sewer service shall be provided to such property.

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Requested by:

Mayor and City Council _____



MAYOR

Approved by:

City Manager _____

Approved as to form:

City Attorney _____

ATTEST:


City Clerk

Introduced: 12/13/2011

Final Reading: 12/20/2011

Last revised: 10/13/2011
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