



# **CITY OF SPARTANBURG**

**SOUTH CAROLINA**

## **CITY COUNCIL AGENDA**

**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Monday, September 24, 2012**

- I. Moment of Silence**
- II. Pledge of Allegiance**
- III. Approval of Minutes of the September 10, 2012 City Council Meeting**
- IV. Approval of Agenda of the September 24, 2012 City Council Meeting**
- V. Public Comment**  
\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk
- VI. Special Presentation**
  - A. The Childhood Obesity Taskforce Findings for the Spartanburg Community**  
**Presenter: Matt Petrofus, DHEC Director of Region 2**
- VII. Ordinance**
  - A. To Authorize the City Manager to Enter into a Memorandum of Understanding with the Spartanburg Housing Authority for Development of Housing on Brawley Street and to Authorize the City to Transfer Three Parcels on Brawley Street, Specifically Parcel 7-12-05-198.00 (538 Brawley), Parcel 7-12-05-202.00 (510 Brawley), and Parcel 7-12-05-203.00 (502 Brawley) to the Spartanburg Housing Authority (First Reading)**  
**Presenter: Mitch Kennedy, Community Services Director**
- VIII. Resolution**
  - A. To Approve the Itemized Budget for the Victim Assistance Fund and to Authorize the Transfer of Additional Funds of \$50,362 of the Available Funds in the Victim Assistance Court Fines and Fees Budget for the Victim Assistance Fund**  
**Presenter: Tony Fisher, Public Safety Director**

As required by the Americans with Disabilities Act, the City of Spartanburg will provide interpretive services for the City Council Meetings. Requests must be made to the Communications & Marketing Office (596-2020) 24 hours in advance of the meeting. This is a Public Meeting and notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act.

**IX. Consent Agenda**

- A. Authorizing the City Manager to Execute a Deed Conveying Two Vacant Lots in the Timberwood Acres Subdivision to the Lower Spartanburg County Habitat for Humanity (Second Reading)**  
**Presenter: Wes Corrothers, Neighborhood Services Director**
- B. Ordinance to Amend the Text of Section 512, Regulations for Video Casinos and Poker Machines by Removing Current Subsections, and Amending Entire Section to include the Allowances and Requirements for Defining “Internet Cafes”, “Sweepstakes Promotions” and/or “Internet Sales”, and other Business using Electronic Gaming and Simulated Gambling Devices, City of Spartanburg, Agent (Second Reading)**  
**Presenter: Joshua Henderson, Planning Coordinator**
- C. Ordinance to Amend the Text of Section 514, Tattoo Facilities, by including “Body Piercing” Definition and Allowances. City of Spartanburg, Agent (Second Reading)**  
**Presenter: Joshua Henderson, Planning Coordinator**
- D. Text Amendment Change to the Zoning Ordinance to Amend Section III, District Use Regulations, Subsection 302.5 (A)(2)(3), R-6 General Residential District, Uses Permitted by Right, Removing #2) Group Homes, Rooming, Boarding and Lodging Houses (excluding Hotels, Motels, and Tourist Homes), where Renting of Rooms is not Subordinate to Some Other Use; and; #3) Mobile Home Parks. City of Spartanburg, Agent (Second Reading)**  
**Presenter: Joshua Henderson, Planning Coordinator**
- E. Text Amendment Change to the Zoning Ordinance to Remove all Statements of the Previous Zoning Classification of B-2. City of Spartanburg, Agent (Second Reading)**  
**Presenter: Joshua Henderson, Planning Coordinator**

**X. Other Business**

- A. Award of Bid for South Hampton Drive Culvert Improvement**  
**Presenter: Jay Squires, Storm Water Manager**
- B. Discussion of Potential Amendment to City Code Chapter 10, Section 10-62, “Parking of Vehicles in the City”**  
**Presenter: Ed Memmott, City Manager**

- XI. City Council Updates**
- XII. Executive Session to Receive Information Regarding a Potential Economic Development Project**
- XIII. Adjournment**

*\* City Code Sec. 2-57. Citizen Appearance. Any citizen of the City of Spartanburg may speak at a regular meeting on any matter pertaining to City Services and operations germane to items within the purview and authority of City Council, except personnel matters, by signing a Citizen's Appearance form prior to the meeting stating the subject and purpose for speaking. No item considered by Council within the past twelve (12) months may be added as an agenda item other than by decision of City Council. The forms may be obtained from the Clerk and maintained by the same. Each person who gives notice may speak at the designated time and will be limited to a two (2) minute presentation.*





**City Council Meeting  
City Council Chambers  
145 West Broad Street  
Monday, September 10, 2012**

**(These minutes are subject to approval at the  
September 24, 2012 City Council meeting.)**

**City Council met this date with the following members present: Mayor Junie White, Councilmembers Linda Dogan, Jerome Rice, Robert Reeder, Sterling Anderson, and Jan Scalisi. Mayor pro tem Cate Ryba was absent due to illness. City Manager Ed Memmott and City Attorney Cathy McCabe were also in attendance. Notice of the meeting was posted with the Media 24 hours in advance according to the Freedom of Information Act. All City Council meetings are recorded for a complete transcript.**

**I. Moment of Silence – observed.**

**II. Pledge of Allegiance – recited.**

**III. Approval of Minutes of the August 27, 2012 City Council Meeting –**  
*Councilmember Dogan made a motion to approve the minutes as received.*  
*Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*

**IV. Approval of Agenda of the September 10, 2012 City Council Meeting –**  
*Mayor White stated that Item VII. A would be continued until another meeting.*  
*Councilmember Rice made a motion to approve the agenda as amended.*  
*Councilmember Scalisi seconded the motion, which carried unanimously 6 to 0.*

**V. Public Comment - none**

\*Citizen Appearance forms are available at the door and should be submitted to the City Clerk

**VI. Redistricting Presentation**

**Presenter: Bobby Bowers, Director of Office of Research and Statistics of South Carolina Budget and Control Board**

**Mr. Bowers** presented Council with suggested redistricting Plan I map and supporting statistics for Council's consideration (attached and made a part of these minutes.) He explained the rationale, due to the 2010 Census figures, of redistricting Plan I.  
*Discussion was held and it was the consensus of Council to hold a Public Forum on October 4, 2012 in the Training Room of City Hall from 4:30 p.m. until 6:30 p.m. to give City citizens an opportunity to view Plan I, ask questions and give input before any final decisions were made.*

**VII. Public Hearing – THIS ITEM WAS CONTINUED UNTIL A FUTURE COUNCIL MEETING**

- A. Ordinance to Amend the City of Spartanburg, South Carolina Zoning Ordinance, by Amending Section 206, Changes to District Boundaries, Specifically Parcel 7-13-01-032.00, Located on 1585 East Main Street, which is Currently Zoned LOD, Limited Office District to Zone B-1, Neighborhood Shopping District; and Providing for Severability and an Effective Date. Bill Akkary and His Agent, Craig Jacobs of Spencer Hines Properties, on Behalf of National Bank of SC, Owner. The Purpose for the Zone Change Application is to allow the Property to be Sold for Use as a Restaurant (First Reading)  
Presenter: Joshua Henderson, Planning Coordinator**

**VIII. Ordinances**

- A. Authorizing the City Manager to Execute a Deed Conveying Two Vacant Lots in the Timberwood Acres Subdivision to the Lower Spartanburg County Habitat for Humanity**

**Presenter: Wes Corrothers, Neighborhood Services Director**

**Mr. Corrothers** presented the item to City Council as follows:

“In November of 2011, City Council approved a resolution accepting the receipt of the assets, both cash and real property, from the now dissolved Spartanburg Residential Development Corp (SRDC). The City agreed to use those assets to promote affordable housing in Spartanburg. Part of those assets included two (2) vacant lots in a subdivision located in Woodruff. The City has received a proposal from the Lower Spartanburg County Habitat for Humanity organization to buy each parcel for \$2,000. The City’s only intent was to sell them to a developer that would keep them affordable to low-and-moderate income families. The City Manager of Woodruff has no objections with this transaction. Therefore, staff is recommending the sale of these two vacant lots, in the Timberwood Acres subdivision, for \$4,000 to Habitat for Humanity.

Staff is requesting approval of an Ordinance authorizing the City Manager to execute a deed conveying the two (2) properties listed below to the Lower Spartanburg County Habitat for Humanity for a total of \$4,000.

4-41-00-200.00	205 Old Timber Road
4-41-00-207.00	198 Old Timber Road”

*Councilmember Dogan made a motion to approve the ordinance as presented on first reading. Councilmember Anderson seconded the motion, which carried unanimously 6 to 0.*

- B. Ordinance to Amend the Text of Section 512, Regulations for Video Casinos and Poker Machines by Removing Current Subsections, and Amending Entire Section to include the Allowances and Requirements for Defining “Internet Cafes”, “Sweepstakes Promotions” and/or “Internet Sales”, and other Business using Electronic Gaming and Simulated Gambling Devices, City of Spartanburg, Agent (First Reading)  
Presenter: Joshua Henderson, Planning Coordinator**

**Mr. Henderson** presented the item to City Council as follows:

“Section 512 of the City of Spartanburg Zoning Ordinance is inconsistent with state laws since the state of South Carolina has banned video casinos and video poker machines. There are new devices on the market that use the internet in “games of chance” which do not fall under the two previously mentioned and removed categories. Earlier this year, City Council placed a moratorium on these devices and related “internet cafe” establishments.

Staff recommends the amendment as laid out in Attachment A to include definitions, locations, parking requirements, etc. for these proposed uses.

**PLANNING COMMISSION RECOMMENDATION:** The request was unanimously endorsed by the Planning Commission on August 16, 2012. Staff’s recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

Staff and the Planning Commission recommend that the City Council approve the text amendment request.”

*After discussion, Councilmember Anderson made a motion to approve the ordinance as presented on first reading. Councilmember Dogan seconded the motion, which carried unanimously 6 to 0.*

**C. Ordinance to Amend the Text of Section 514, Tattoo Facilities, by including “Body Piercing” Definition and Allowances. City of Spartanburg, Agent (First Reading)**

**Presenter: Joshua Henderson, Planning Coordinator**

**Mr. Henderson** presented the item to City Council as follows:

“In April, 2005, City Council voted to amend the City of Spartanburg Zoning Ordinance and include a new section regulating the placement and use of tattoo parlors within the City Limits. It was after an inquiry for a body piercing facility that Staff began to realize that the Zoning Ordinance did not regulate these uses within that section, the use table, parking requirements, or any other section of the Zoning Ordinance. Per the South Carolina Department of Health and Environmental Control (SCDHEC), Health Regulations, the uses of a tattoo parlor and body piercing facility are similar in use due to the health risks when releasing blood-borne pathogens into the air. Since they are similar uses, Staff is only amending the section to include the definition of a body piercing facility and to include the term “body piercing” or “body piercing facility” throughout the section in conjunction with tattoo parlor.

**PLANNING COMMISSION RECOMMENDATION:** The request was unanimously endorsed by the Planning Commission on August 16, 2012. Staff’s recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

Staff and the Planning Commission recommend that the City Council approve the text amendment request.”

*After discussion, Councilmember Dogan made a motion to approve the ordinance as requested on first reading. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*

**D. Text Amendment Change to the Zoning Ordinance to Amend Section III, District Use Regulations, Subsection 302.5 (A)(2)(3), R-6 General Residential District, Uses Permitted by Right, Removing #2) Group Homes, Rooming, Boarding and Lodging Houses (excluding Hotels, Motels, and Tourist Homes), where Renting of Rooms is not Subordinate to Some Other Use; and; #3) Mobile Home Parks. City of Spartanburg, Agent (First Reading)**

**Presenter: Joshua Henderson, Planning Coordinator**

**Mr. Henderson** presented the item to City Council as follows:

“Under Section 302 Use Regulations for Residential Districts in the City of Spartanburg Zoning Ordinance for R-6 – General Residential District, the allowance for group homes, mobile home parks, and similar uses has been permitted for some time. Upon the request by city residents, Staff has reviewed these allowances with regards to the interaction between these uses and surrounding single family and multifamily uses. There are no other residential zones within the City of Spartanburg that allow for these types of facilities either permitted by right or permitted by Special Exception. The proposed text amendment would be to remove the following sections that are currently allowed according to section 302.5 of the City of Spartanburg Zoning Ordinance:

1. Group homes, rooming, boarding and lodging houses (excluding hotels, motels, and tourist homes), where the renting of rooms is not subordinate to some other use;
2. Mobile Home Parks

The proposed text amendment would also be to remove the statement under Section 508.12 Mobile Homes and Mobile Commercial Buildings – Locations referencing the allowed location of R-6.

PLANNING COMMISSION RECOMMENDATION: The request was unanimously endorsed by the Planning Commission on August 16, 2012. Staff’s recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

Staff and the Planning Commission recommend that the City Council approve the text amendment request.”

*After discussion, Councilmember Dogan made a motion to approve the ordinance as requested on first reading. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*

**E. Text Amendment Change to the Zoning Ordinance to Remove all Statements of the Previous Zoning Classification of B-2. City of Spartanburg, Agent (First Reading)**

**Presenter: Joshua Henderson, Planning Coordinator**

**Mr. Henderson** presented the item to City Council as follows:

“On February 28, 2011, City Council voted to adopt the new Downtown Urban Code. It became effective on July 1, 2011, effectively replacing the zoning requirements for the downtown area which included all properties which had previously been zoned B-2. However, the necessary housekeeping text amendment removing the former B-2/Central Business District classification from the Zoning Ordinance was not

implemented at that time. Staff has since prepared this Zoning Ordinance strike-through amendment removing all sections mentioning the B-2 zoning classification. **PLANNING COMMISSION RECOMMENDATION:** The request was unanimously endorsed by the Planning Commission on August 16, 2012. Staff's recommendation concerning this application is explained in detail in the attached staff report to the Planning Commission.

Staff and the Planning Commission recommend that the City Council approve the text amendment request.”

*After discussion, Councilmember Dogan made a motion to approve the ordinance as requested on first reading. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*

## **IX. Resolution**

### **A. Regarding Consent of Council of the Reappointment of the Prosecutor by the City Attorney**

**Presenter: Cathy McCabe, City Attorney**

**Ms. McCabe** presented the item to City Council as follows:

“In September of 2011, City Council approved the appointment of the Law Firm of Wilkins & Bouton, LLC (“Firm”) as the City Prosecutor for one year. After consulting with the Public Safety Department and Judge McJimpsey, all parties are pleased with the Firm’s performance.

Staff is requesting approval of the recommendation and consenting to the reappointment of the Firm as the Prosecutor for the City and authorizing the City Manager or City Attorney to negotiate for a new one-year term for \$48,000 and annual evaluation by Public Safety and the Municipal Judge. This is an increase of \$3,000 to offset the additional duties for the increased volume of Circuit Court appearances.

**BUDGET AND FINANCE DATA:** \$48,000 annual payment. This amount is in the budget.”

*Councilmember Anderson recused himself from the vote due to a close friendship with the members of the law firm.*

*Councilmember Dogan made a motion to approve the resolution as presented.*

*Councilmember Reeder seconded the motion, which carried unanimously 6 to 0.*

## **X. City Council Updates –**

**Councilmember Rice** thanked everyone involved in the reopening of Stewart Park and commented on the outstanding turnout from the community.

**Councilmember Scalisi** also thanked everyone for the reopening of Stewart Park and commented on what a nice, delightful ceremony it was. She shared that the facility was immediately used by the children in attendance.

**Councilmember Anderson** thanked everyone for the well wishes while he was away for 9 weeks on required military service at Maxwell Air Force Base.

**Councilmember Reeder** echoed his thanks and praise for the Stewart Park reopening event.

**Councilmember Dogan** also thanked everyone for the Stewart Park reopening and the great day everyone had. She mentioned the passing of her long time friend and local attorney Danny Allen.

**Mayor White** complimented the City staff on all the good things that were happening in the City and thanked them for their hard work.

**Mr. Memmott** also commented on the great work by everyone for the Stewart Park reopening and thanked staff for their efforts. He mentioned that closing of the Arkwright Dump was nearing an end and that a ceremony would be planned when the project was completed.

- XI. Adjournment** – *Councilmember Dogan made a motion to adjourn the meeting. Councilmember Reeder seconded the motion, which carried unanimously 6 to 0, and the meeting adjourned at 6:22 p.m.*



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Connie S. McIntyre, City Clerk



# Spartanburg County, South Carolina

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1st, 3rd, and 5th Grade Students  
Body Mass Index (BMI) Report



2011-2012



# Preface

According to the CDC, childhood obesity has more than tripled in the past 30 years and is a precursor to adulthood obesity. Because of the seriousness of this issue, Healthy People 2020 set the reduction of childhood obesity as one of its objectives. Research indicates that over half of all new obesity diagnoses in some population subgroups are being attributed to children under the age of 18. The CDC reports that obesity is a major risk factor for many severe diseases and conditions, including cardiovascular disease, certain types of cancer, and type-II diabetes. In addition to these life-long repercussions, childhood obesity is associated with lower life expectancies and increased health care costs.

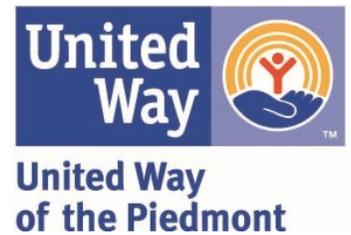
The South Carolina Joint Citizens and Legislative Committee on Children (JCLCC) was recently created by statute to research issues regarding the children of South Carolina, and to offer policy and legislative recommendations to the Governor and Legislature. The Committee recently identified 4 major focus areas which require serious consideration and action. Childhood Obesity is prominently featured as one of those areas. In their 2012 Annual Report, the JCLCC recommends that state and community-based efforts be implemented to improve children's nutrition and increase physical activity so as to stimulate healthy behaviors and lifestyles for our children.

In line with national and state statistics, Spartanburg County is also severely impacted by a childhood obesity epidemic. In an effort to address this alarming issue, a community task force was formed in 2008. The Spartanburg Childhood Obesity Task Force (SCCOTF) is comprised of a diverse group of partners representing active living and healthy eating non-profits, local hospitals, public health, schools, recreational organizations, foundations, institutes of higher learning, and community volunteers. The Task Force collectively crafted a goal with the objective of reversing the childhood obesity epidemic in Spartanburg County by the year 2015. The SCCOTF is supported by the South Carolina Eat Smart Move More Coalition, an organization that coordinates obesity prevention efforts across the state and leads the implementation of South Carolina's Obesity Prevention Plan.

Good for You, Spartanburg is a branding campaign created by the Spartanburg Childhood Obesity Taskforce to capture the broad-based grassroots, nonprofit, institutional, and governmental support for the development of a healthy Spartanburg County. This brand is expected to launch in the coming weeks. Businesses, schools, nonprofits, neighborhood associations, and more will be given the opportunity to become a partner in the effort.

The Spartanburg County School District Body Mass Index (BMI) project was implemented under the auspices of the Childhood Obesity Taskforce. Participating school districts included 1,2,4,5,6 and 7. Measurements were obtained from children attending Spartanburg public schools in 1st, 3rd and 5th grades. This vital assessment would not be possible without the cooperation, collaboration and dedication of the Spartanburg County School System. The Spartanburg County Childhood Obesity Task Force sincerely appreciates their commitment to this important project, and they are to be commended for taking a major step in a community-wide effort to address the problem of childhood obesity.

Spartanburg County Childhood Obesity Task Force  
Participating Organizations



University of South Carolina Upstate



Spartanburg Regional  
Healthcare System



South Carolina Department of Health  
and Environmental Control

# Body Mass Index (BMI) - 1st, 3rd, and 5th Grade Students Spartanburg County, South Carolina

## Introduction

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The rising rate of childhood obesity<sup>1</sup> is a major public health threat for our children. Currently one-third (33.6%) of American children and adolescents are either obese or at risk of becoming obese<sup>2</sup>. In order to assess the healthy weight status of students in Spartanburg County, body mass index (BMI) data were collected during the 2011-2012 school year. The purpose of this report is to highlight the percent of obese or overweight 1st, 3rd, and 5th grade students in Spartanburg County, South Carolina.

## Methodology

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Body Mass Index (BMI) is a number calculated from a person's weight and height. BMI provides a reliable indicator of body fatness for most people and is used to screen for weight categories that may lead to health problems.

BMI is calculated by multiplying a common conversion factor of 703 by weight in pounds (lb) divided by height in inches (in) squared. In other words,

$$BMI = 703 \times (Weight \text{ (lbs)} \div Height^2 \text{ (in}^2))$$

The weight status of children was determined by using growth charts developed by the Centers for Disease Control and Prevention. The growth charts show the distribution of BMI across a range of ages for a reference population. Children were classified as obese if their BMI-for-age was in the 95th percentile or above. Children were classified as overweight if their BMI-for-age was between the 85th and 94th percentile.

Demographic and health data were provided by selected individuals within each school district. Information Technology staff played a key role in consolidating data. Height and weight measurements were collected during the school year of 2011-2012. Several preliminary planning meetings were held, and coordinated in conjunction with a Mary Black Foundation Initiative featuring SPARK, a research-based program that promotes evidence-based Physical Education Health programs to teachers. SPARK 'Stars' were identified in each school district, and served as primary points of contact. In an effort to promote consistency, digital scales were provided, along with specific protocol on how to measure height and weight for each child.

### Note:

83.4% of 1st graders were measured (2607 of 3125)

84.0% of 3rd graders were measured (2627 of 3129)

84.4% of 5th graders were measured (2648 of 3136)

## Key Findings

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- 33.4% of 1st Graders were obese or overweight.
- 38.0% of 3rd Graders were obese or overweight.
- 39.1% of 5th Graders were obese or overweight.
- Differences/Disparities exist between White, African-American, and Hispanic children.
- Differences/Disparities exist between socioeconomic status (SES) groups.

## Conclusions

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- Childhood obesity is a severe problem in Spartanburg County.
- Efforts should continue to monitor BMI in children.
- The community should be made aware of the situation in order to seek resources, implement evidence-based programs, and improve outcomes.

## Actions for Prevention of Childhood Obesity<sup>3</sup>

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**Immediate actions involving stakeholders from multiple settings are needed to address the epidemic.**

### Local Governments

- Expand and promote opportunities for active living and healthy eating in the community through changes to ordinances, policies, capital improvement programs, and other planning practices.

### Communities

- Provide opportunities for healthy eating and physical activity in existing and new community programs.
- Support legislation and other local and state-level action promoting healthy eating and physical activity.
- Seek resources in order to help implement and/or maintain programs to promote and support healthy eating and physical activity in the community.

### Schools

- Implement school wellness policies that promote healthy eating and active living for both students and teachers.
- Improve the nutritional quality of foods and beverages served and sold in schools and as part of school-related activities.
- Routinely track BMI and offer appropriate counseling and guidance to children and their families.

### Families

- Implement interventions to reduce the amount of time children spend doing sedentary activities such as viewing television, playing video games, and using a computer.
- Monitor and discuss BMI information with family health care providers.
- Engage in and promote healthy eating and active lifestyles together as families.

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<sup>1</sup>-*Obesity* is defined as a child who has a body mass index (BMI) for age at or above the sex-specific 95th percentile of the BMI charts developed by the Centers for Disease Control and Prevention (CDC) in 2000. *At risk for obesity* is defined as a child with a BMI for age at or above the sex-specific 85th percentile but less than the 95th percentile of the CDC BMI charts. In most children, a BMI level at or above the 95th percentile indicates elevated body fat that reflects the presence or risk of related chronic diseases.

<sup>2</sup>-Save the Children. *Change Program: Creating Healthy, Active, and Nurturing Growing-up Environments*. June 2007. [www.savethechildren.org/newsroom/2007/rural-childhood-obesity](http://www.savethechildren.org/newsroom/2007/rural-childhood-obesity)

<sup>3</sup>- Institute of Medicine. *Preventing Childhood Obesity: Health in the Balance*. Report Brief, September 2004. <http://iom.edu/report.asp?id=22596>

# 1st Grade Report

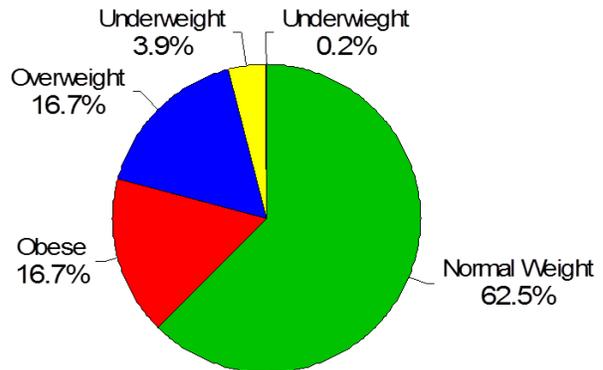


# Spartanburg County 1st Graders

## Weight status:

- 3.9% of 1st graders were underweight.
- 62.5% of 1st graders were in the normal weight range.
- 16.7% of 1st graders were overweight.
- 16.7% of 1st graders were obese.

**Percent of children by weight status**  
Spartanburg County First Grade - 2607 Students

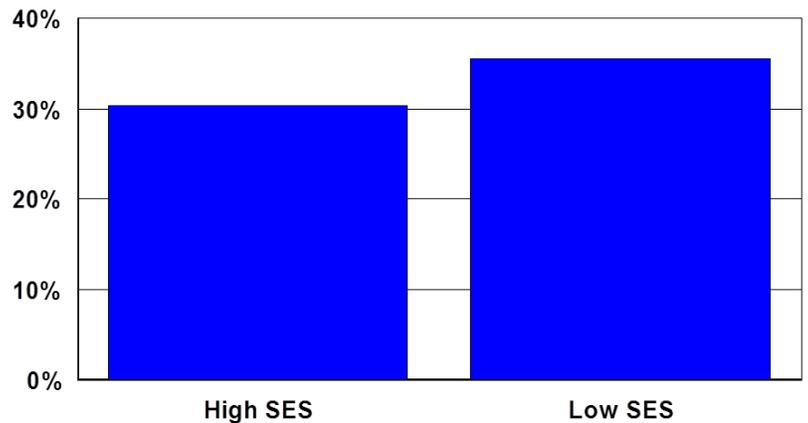


Underweight: BMI-for-age < 5<sup>th</sup> percentile  
Normal: BMI-for-age 5<sup>th</sup>-<85<sup>th</sup> percentile  
Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile  
Obese: BMI-for-age ≥ 95<sup>th</sup> percentile

## Disparities in Obesity/Overweight by Socioeconomic Status

- Children from low SES households were more likely to be obese or overweight.
- Children from high SES households were less likely to be obese or overweight.

**Percent of children who were obese or overweight by SES**  
Spartanburg County - First Grade

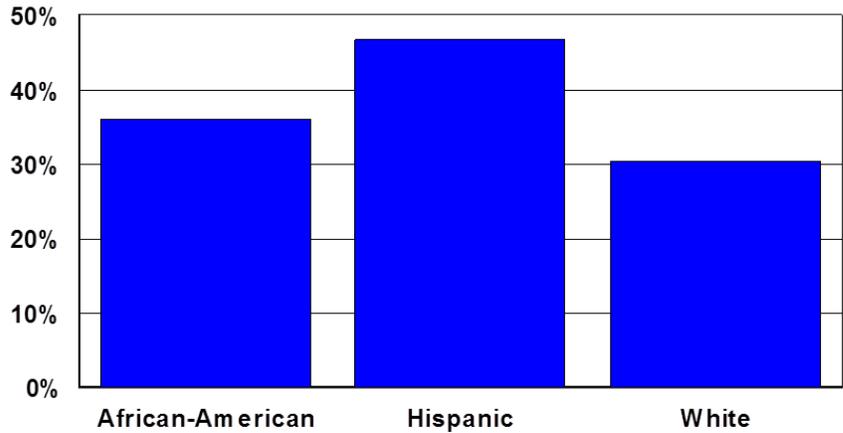


Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age ≥ 95<sup>th</sup> percentile  
† Based on Free and reduced School Lunch Program eligibility

**Disparities in Obesity/  
Overweight by Race/  
Ethnicity**

- Hispanic children were most likely to be obese or overweight.
- White children were least likely to be obese or overweight.
- African-American children were more likely than White children but less likely than Hispanic children to be obese or overweight.

**Percent of children who were obese or overweight by Race/Ethnicity  
Spartanburg County - First Grade**



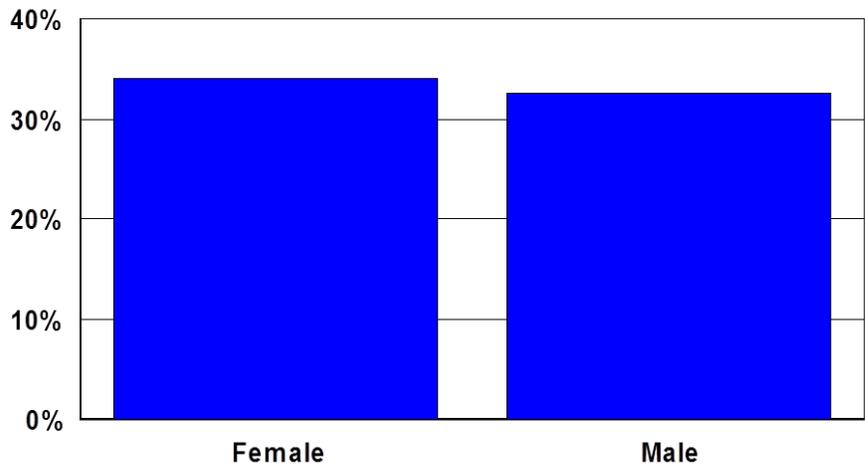
Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age  $\geq$  95<sup>th</sup> percentile

\* For statistical reasons Race/Ethnic groups comprising <4% of the data were not included. These groups/individuals are included in all other parts of the report.

**Disparities in Obesity/  
Overweight by gender**

- Females were more likely to be obese or overweight.
- Males were less likely to be obese or overweight.

**Percent of children who were obese or overweight by gender  
Spartanburg County - First Grade**



Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age  $\geq$  95<sup>th</sup> percentile

# 3rd Grade Report

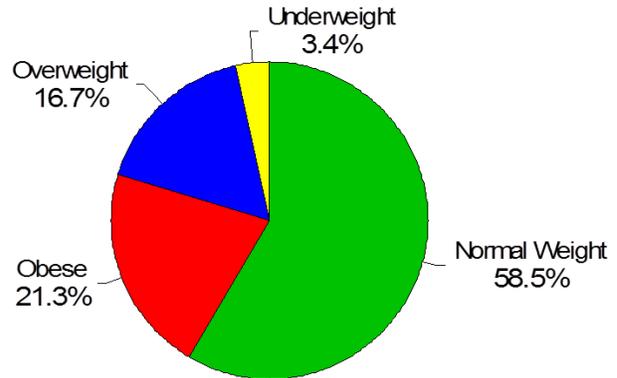


# Spartanburg County 3rd Graders

## Weight status:

- 3.4% of 3<sup>rd</sup> graders were underweight.
- 58.5% of 3<sup>rd</sup> graders were in the normal weight range.
- 16.7% of 3<sup>rd</sup> graders were overweight.
- 21.3% of 3<sup>rd</sup> graders were obese.

**Percent of children by weight status**  
Spartanburg County Third Grade - 2627 Students

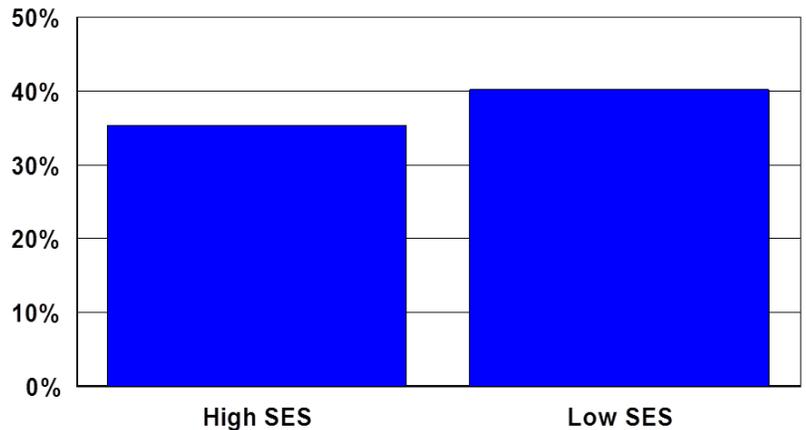


Underweight: BMI-for-age < 5<sup>th</sup> percentile  
Normal: BMI-for-age 5<sup>th</sup>-<85<sup>th</sup> percentile  
Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile  
Obese: BMI-for-age ≥ 95<sup>th</sup> percentile

## Disparities in Obesity/Overweight by Socioeconomic Status:

- Children from low SES households were more likely to be obese or overweight.
- Children from high SES households were less likely to be obese or overweight

**Percent of children who were obese or overweight by SES**  
Spartanburg County - Third Grade

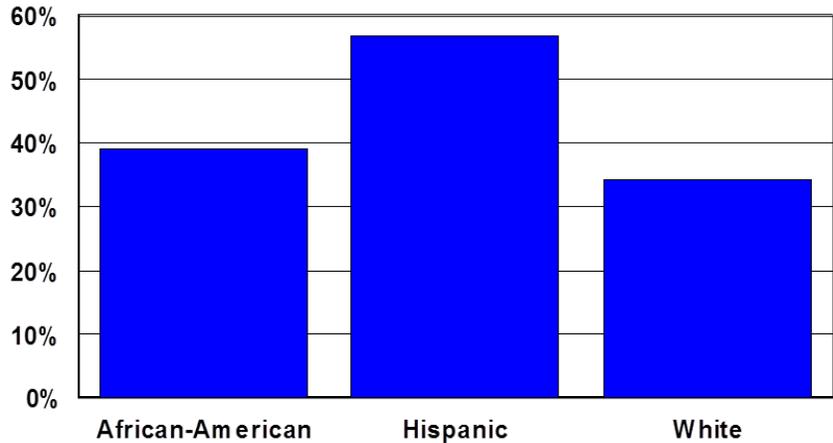


Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age ≥ 95<sup>th</sup> percentile  
† Based on Free and reduced School Lunch Program eligibility

### Disparities in Obesity/ Overweight by Race/ Ethnicity

- Hispanic children were most likely to be obese or overweight.
- White children were least likely to be obese or overweight.
- African-American children were more likely than White children but less likely than Hispanic children to be obese or overweight.

Percent of children who were obese or overweight by Race/Ethnicity  
Spartanburg County - Third Grade



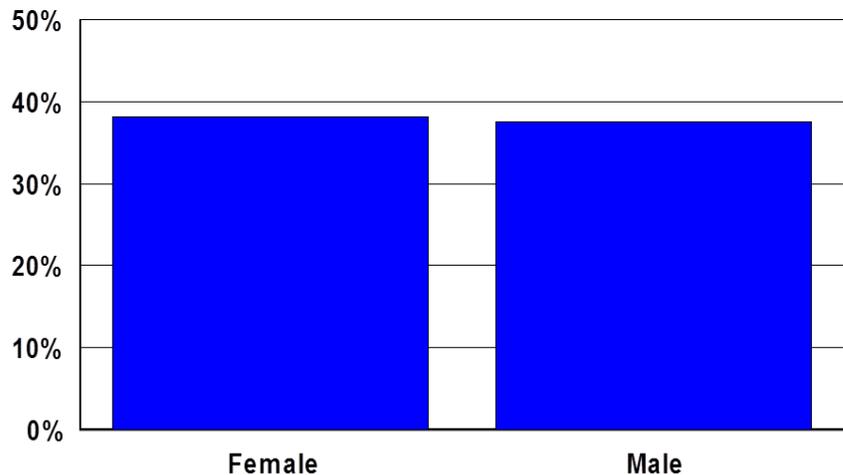
Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age  $\geq$  95<sup>th</sup> percentile

\* For statistical reasons Race/Ethnic groups comprising <4% of the data were not included. These groups/individuals are included in all other parts of the report.

### Disparities in Obesity/ Overweight by gender

- Males and Females were almost equally likely to be obese or overweight, with percentages being slightly higher for females than for males.
- Males were only slightly less likely to be obese or overweight than females.

Percent of children who were obese or overweight by gender  
Spartanburg County - Third Grade



Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age  $\geq$  95<sup>th</sup> percentile

# 5th Grade Report

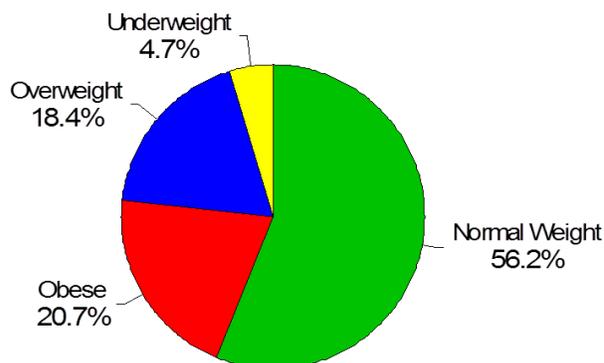


## Spartanburg County 5th Graders

### Weight status:

- 4.7% of 5<sup>th</sup> graders were underweight.
- 56.2% of 5<sup>th</sup> graders were in the normal weight range.
- 18.4% of 5<sup>th</sup> graders were overweight.
- 20.7% of 5<sup>th</sup> graders were obese.

**Percent of children by weight status**  
Spartanburg County Fifth Grade - 2648 Students

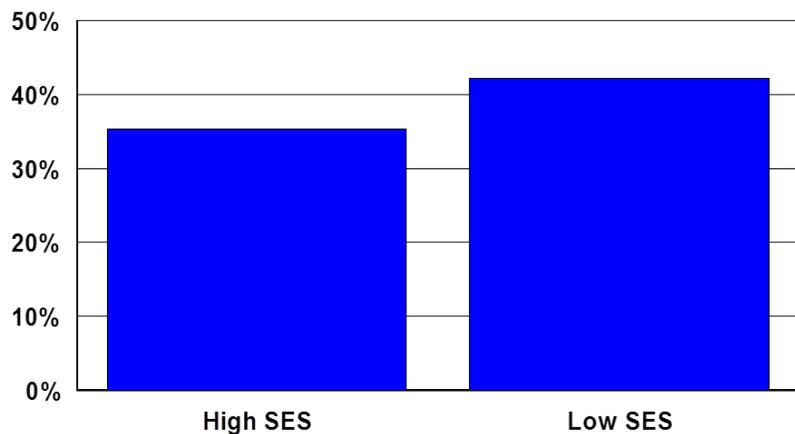


Underweight: BMI-for-age < 5<sup>th</sup> percentile  
Normal: BMI-for-age 5<sup>th</sup>-<85<sup>th</sup> percentile  
Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile  
Obese: BMI-for-age ≥ 95<sup>th</sup> percentile

### Disparities in Obesity/Overweight by Socioeconomic Status

- Children from low SES households were more likely to be obese or overweight.
- Children from high SES households were less likely to be obese or overweight

**Percent of children who were obese or overweight by SES**  
Spartanburg County - Fifth Grade

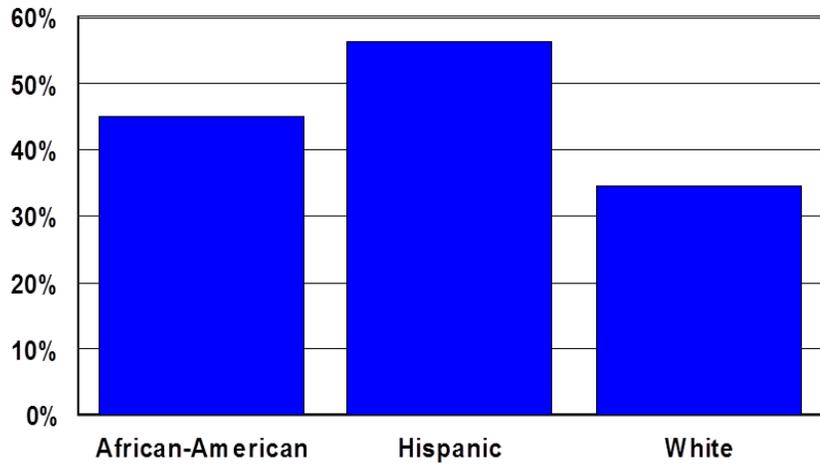


Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age ≥ 95<sup>th</sup> percentile  
† Based on Free and reduced School Lunch Program eligibility

## Disparities in Obesity/Overweight by Race/Ethnicity

- Hispanic children were most likely to be obese or overweight.
- White children were least likely to be obese or overweight.
- African-American children were more likely than White children but less likely than Hispanic children to be obese or overweight.

Percent of children who were obese or overweight by Race/Ethnicity  
Spartanburg County - Fifth Grade



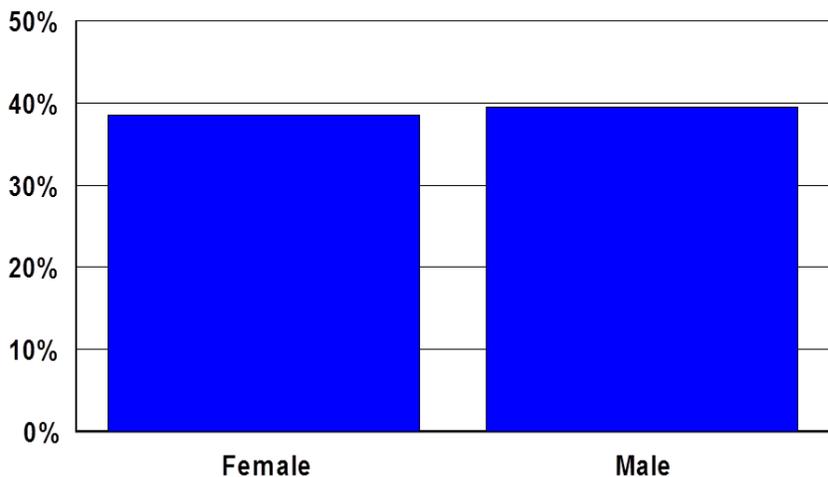
Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age  $\geq$  95<sup>th</sup> percentile

\* For statistical reasons Race/Ethnic groups comprising <4% of the data were not included. These groups/individuals are included in all other parts of the report.

## Disparities in Obesity/Overweight by gender

- Males and Females were almost equally likely to be obese or overweight, with percentages being slightly higher for males than for females.
- Females were only slightly less likely to be obese or overweight than males.

Percent of children who were obese or overweight by gender  
Spartanburg County - Fifth Grade



Overweight: BMI-for-age 85<sup>th</sup>-<95<sup>th</sup> percentile Obese: BMI-for-age  $\geq$  95<sup>th</sup> percentile

## VII. A



## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager

**FROM:** Mitch Kennedy, Community Services Director

**SUBJECT:** Ordinance to Approve a Memorandum of Understanding with The Spartanburg Housing Authority for Development of Housing on Brawley Street

**DATE:** September 24, 2012

### BACKGROUND:

Council is aware that the City, Northside Development Corporation (NDC), the Housing Authority of the City of Spartanburg (SHA), and many other local institutions have been working together to encourage comprehensive redevelopment of the Northside. In this effort, the City has acquired various parcels of land using Community Development Block Grant Funds (CDBG) and Neighborhood Stabilization Program Funds. The City, NDC, and SHA now have the opportunity to continue this partnership and move forward with the development of housing on the west side of Brawley Street between College and Farley Streets.

Under this development concept, the City would convey to the SHA three parcels of land. The NDC would transfer three lots it owns to the SHA. The SHA would construct six (6) single family homes on Brawley Street using Replacement Housing Factor Fund (RHF) Grant funds. These six homes would initially be made available as rental properties but are intended to be sold to individuals who would reside in the homes within 3-5 years after construction. All parties involved in this project recognize the need to set a high standard for design and construction of these homes. Staff is supportive of this project and believes it can serve as a catalyst for additional development and will build positive momentum for the Northside. Staff also believes it has negotiated the terms of a proposed Memorandum of Understanding with the SHA that sets forth the respective roles of each party and is recommending approval by Council.

### ACTION REQUESTED:

First reading approval of an Ordinance authorizing the City Manager to enter into a Memorandum of Understanding with the Spartanburg Housing Authority and to execute a deed conveying 538 Brawley (7-12-05-198.00), 510 Brawley (7-12-05-202.00), and 502 Brawley (7-12-05-203.00) to the SHA.

**BUDGET AND FINANCE DATA:** N/A

AN ORDINANCE

TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE SPARTANBURG HOUSING AUTHORITY FOR DEVELOPMENT OF HOUSING ON BRAWLEY STREET AND TO AUTHORIZE THE CITY TO TRANSFER THREE PARCELS ON BRAWLEY STREET, SPECIFICALLY PARCEL 7-12-05-198.00 (538 BRAWLEY), PARCEL 7-12-05-202.00 (510 BRAWLEY) AND PARCEL 7-12-05-203.00 (502 BRAWLEY), TO THE SPARTANBURG HOUSING AUTHORITY.

WHEREAS, the City of Spartanburg (City) and the Spartanburg Housing Authority (Authority) have been working for several years to redevelop the geographic area in the City of Spartanburg generally known as the Northside; and

WHEREAS, the City and the Authority, among other parties, have collaborated toward obtaining a planning grant under the Choice Neighborhoods Initiative program of the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Authority has certain HUD Replacement Housing Factor (RHF) Funds that can be used for either rehabilitation or new construction of public housing units, with the potential for subsequent conversion to homeownership under the Authority's HUD approved Section 32 Plan; and

WHEREAS, the City and the Authority have identified numerous potential projects on the Northside which could be feasible projects for deployment of the Authority's RHF Funding, and the Authority has evaluated these options; and

WHEREAS, the City and the Authority have agreed that the west side of Brawley Street between College and Farley would be a good target area (Model Block) for acquisition and rehabilitation or new construction; and

WHEREAS, City owns certain parcels and homes on this Model Block and the Authority is desirous of acquiring such parcels and homes from the City in order to redevelop them with RHF Funding which must be obligated on or before October 29, 2012; and

WHEREAS, the Spartanburg Housing Authority and the City desire to memorialize their understanding and intent regarding this housing development and have developed a Memorandum of Understanding.

NOW, THEREFORE, BE IT ORDAINED By the Mayor and Members of Council of the City of Spartanburg, in Council assembled:

Section 1. To authorize the City Manager to execute a Memorandum of Understanding in substantially the same form as attached hereto and to authorize any such nonmaterial changes as may be necessary as determined by the City Manager and the City Attorney, provided any such change is consistent with the overall intent of Council's authorization in this matter.

Section 2. The City Manager, as attested by the City Clerk, is authorized to execute a deed conveying the three parcels, 538 Brawley Street (Parcel 7-12-05-198.00), 510 Brawley Street (Parcel 7-12-05-202.00), and 502 Brawley Street (Parcel 7-12-05-203.00) to the Spartanburg Housing Authority.

Section 3. This Ordinance shall become effective upon the date of enactment.

DONE AND RATIFIED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

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CITY ATTORNEY

\_\_\_/\_\_\_/\_\_\_ 1st Reading

\_\_\_/\_\_\_/\_\_\_ 2nd Reading



N FOREST ST

FARLEY ST

BRAWLEY ST

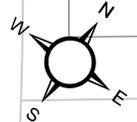
MANNING ST

MILL POND RD

COLLEGE ST

**Legend**

- City
- Northside Development Corp
- Successful Bidder at Tax Sale
- Under\_Contract



0 135 270 540 Feet

549

548

541

538

533

530

525

522

517

516

511

510

503

502

497

494

489

340

334

328

488

482

305

297

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281

275

267

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298

292

284

276

306

305

297

688

288

275

497

491

302

294

310

516

0

0

200

# **Spartanburg Housing Authority and City of Spartanburg**

## **Memorandum of Understanding**

### *Northside Model Block Project*

WHEREAS, the City of Spartanburg (City), the Spartanburg Housing Authority (Authority), and Northside Development Corporation (NDC), have collaborated toward obtaining a planning grant under the Choice Neighborhoods Initiative program of the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Authority has certain HUD Replacement Housing Factor (RHF) Funds that can be used for either rehabilitation or new construction of public housing units, with the potential for subsequent conversion to homeownership under the Authority's HUD approved Section 32 Plan; and

WHEREAS, the City, NDC and the Authority have identified numerous potential projects on the Northside which could be feasible projects for deployment of the Authority's RHF Funding, and the Authority has evaluated these options; and

WHEREAS, the City, NDC and the Authority have agreed that the west side of Brawley Street between College and Farley would be a good target area (Model Block) for acquisition and rehabilitation or new construction; and

WHEREAS, NDC may own or subsequently acquire parcels or units in this Model Block, and the Authority may be desirous of acquiring these parcels or units from the NDC and developing them with future increments of RHF Funding; and

WHEREAS, the City owns certain parcels and homes on this Model Block, and the Authority is desirous of acquiring such parcels and homes from the City in order to redevelop them with its RHF Funding which must be obligated between the date hereof and October 29, 2012, and the Authority anticipates potentially adding more units on this Model Block for redevelopment with future increment(s) of RHF Funding.

NOW, THEREFORE, KNOW ALL BY THESE PRESENT, that in consideration of their mutual promises and other good and valuable consideration, the Parties agree as follows:

1. City will convey to the Authority three parcels - 502 Brawley Street (Parcel 7-12-05-203.00), 510 Brawley Street (Parcel 7-12-5-202.00), and 538 Brawley Street (Parcel 7-12-05-198.00).
2. City will demolish the structures on any such lots conveyed to the Authority by City using City funding designated for demolition and City will remediate the building sites on such parcels appropriately.
3. If the City acquires additional parcels or properties in this Model Block, it will convey them to the Authority, upon the Authority's request, for possible additional redevelopment under a similar development program.

4. If the Authority fails to develop affordable units on these parcels before October 29, 2014, the Authority will re-convey such parcels to the City, or any designee of the City.
5. Upon any future disposition of any parcels conveyed to the Authority by City, through sale of homes developed and/or redeveloped on such parcels or otherwise, any net proceeds realized will be used by the Housing Authority to further redevelopment activity and provide for affordable housing in the City of Spartanburg.
6. The City and the Authority share the goal that efforts will be made to identify at least one or more existing parcel(s) or unit(s) on the Model Block to be rehabilitated or redeveloped.
7. The Authority, at its expense, will develop concepts for housing types, streetscape facades, and overall site plan for the west side of Brawley Street between College and Farley, and will vet these with the City and other Northside stakeholders.
8. To the extent that any units acquired or to be acquired from the City by the Authority on this Model Block have unmarketable title, the City will take reasonable actions and exert reasonable efforts to make such title or titles marketable for subsequent acquisition by the Authority.

IN WITNESS WHEREOF, the parties have executed this Tri-Party Memorandum of Understanding this \_\_\_\_ day of \_\_\_\_\_, 2012.

IN THE PRESENCE OF:

SPARTANBURG HOUSING AUTHORITY

By: \_\_\_\_\_

Its: \_\_\_\_\_

\_\_\_\_\_

(Witness)

\_\_\_\_\_

(Witness)

CITY OF SPARTANBURG

By: \_\_\_\_\_

Ed Memmott

Its: City Manager

\_\_\_\_\_

(Witness)

\_\_\_\_\_

(Witness)

## VIII. A



## REQUEST FOR CITY COUNCIL ACTION

**TO:** Ed Memmott, City Manager

**FROM:** A. Tony Fisher, Public Safety Director

**SUBJECT:** To Approve the Itemized Budget for the Victim Assistance Fund and To Authorize the Transfer of Additional Funds of \$50,362

**DATE:** September 18, 2012

**BACKGROUND:**

\$85,000 was approved for the Victim Assistance Fund in the FY 2012-13 Budget. The State Office of Victim Assistance – S.C. Governor’s Office requires an itemized budget be submitted that is approved by the governing body according to Proviso 89.61. A proposed budget is attached that more accurately reflects the actual budget expenditures which is \$138,362, an addition of \$50,362.

**ACTION REQUESTED:**

Approve new Itemized Budget for the Victim Assistance Fund and authorize the transfer of additional funds of \$50,362.

**BUDGET & FINANCIAL DATA:**

The Victim Assistance Fund is funded by the Victim Assistance Court Fines and Fees Budget which currently has \$237,936.82 from which the adjusted Budget will come. Any remaining balance will be carried forward to be utilized for victim services.

**RESOLUTION**

TO APPROVE THE ITEMIZED BUDGET FOR THE VICTIM ASSISTANCE FUND AND TO AUTHORIZE THE TRANSFER OF ADDITIONAL FUNDS OF \$50,362 OF THE AVAILABLE FUNDS IN THE VICTIM ASSISTANCE COURT FINES AND FEES BUDGET FOR THE VICTIM ASSISTANCE FUND.

WHEREAS, the City approved \$85,000 for the Victim Assistance Fund in its FY 2012-13 Budget; and

WHEREAS, the Victim Assistance Fund is funded by the Victim Assistance Court Fines and Fees which had a budget of \$237,936.82 as of June 30, 2012; and

WHEREAS, an Itemized Budget approved by the Council is required by the State Office of Victim Assistance – S.C. Governor’s Office for the Victim Assistance Fund which reflects budget expenditures of \$138,362; and

WHEREAS, the transfer of additional funds of \$50,362 for the Victim Assistance Fund is needed to meet the Itemized Budget.

NOW, THEREFORE, BE IT RESOLVED By the Mayor and Members of Council of the City of Spartanburg, in Council assembled:

Section 1. City Council approves the Itemized Budget of \$138,362 for the Victim Assistance Fund.

Section 2. City Council authorizes the transfer of additional funds of \$50,362 from the Victim Assistance Court Fines and Fees Budget for the Victim Assistance Fund.

Section 3. This Resolution shall become effective immediately upon its enactment.

DONE AND RATIFIED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Junie L. White, Mayor.

ATTEST:

\_\_\_\_\_  
Connie S. McIntyre, City Clerk.

**City of Spartanburg  
Victim Assistance Fines, Fees, and Assessment Fund  
Draft Budget for FY 12-132**

<b><u>Prior Year Ending Balance</u></b>	<b><u>\$237,936.82</u></b>
<b><u>Salary Expense</u></b>	
Advocate 1 Salary – 10 Years of Experience	\$ 42,640
Social Security & Medicare (FICA)	\$ 3,262
Retirement (9.530%)	\$ 4,063
Unemployment	\$ 200
Health Insurance (\$510/monthly X 12 months)	\$ 6,120
Dental Insurance (\$16.71/monthly X 12 months)	\$ 201
Short Term (.96%) and Long Term Disability (.234%)	\$ 509
Advocate 2 Salary – 11 Years of Experience \$43,659.20 X 10%	\$ 4,366
Social Security & Medicare (FICA)	\$ 334
Retirement (9.530%)	\$ 416
Unemployment (\$200 X 10%)	\$ 20
Health Insurance (\$510/month X 12 months X 10%)	\$ 612
Dental Insurance (\$16.71/month X 12 months X 10%)	\$ 20
Short Term(.96%) and Long Term Disability (.234%)	\$ 52
<b>Subtotal</b>	<b>\$ 62,815</b>
<b>Other Items</b>	
<b>Brochures</b> (Printing Existing brochures)	\$ 1,500
<b>Victims' Rights Notification Form</b> – Multiple Copy Form	\$ 8,000
<b>Mileage</b> - (.305/mile X 17,618/miles X 2 advocates)	\$ 10,747
<b>Training/Seminars Registration</b> –(2 advocates)	\$ 1,800

<b>Victim's Rights Week</b> – Registration, Per Diem, Room 2 advocates	\$ 1,300
<b>Travel Costs</b> – One national training per advocate	\$ 4,060
<b>Cell phones</b> – 2 advocates X \$100/month X 12 months	\$ 2,400
<b>Software Documentation</b> – Yearly Costs Carolina Crisis Software	\$ 540
<b>Memberships</b> – 2 advocates	\$ 300
<b>Office Supplies</b> - \$750 X 2 advocates	\$ 1,500
<b>Printer Cartridges</b> -	\$ 2,000
<b>SPVAN (Spartanburg Victim's Assistance Network)</b> Four meetings per year for cross training for Local Victim Service Providers.	\$ 400
<b>Registration Costs for Interpersonal Violence Conference</b> Will pay the cost of person providing direct services to victims for the Interpersonal Violence Conference	\$ 1,000
<b>Subtotal</b>	<b>\$35,547</b>
<b>Contractual</b>	
<b>SAFE Homes Rape Crisis Coalition</b> We are billed monthly for this contract.	\$20,000
<b>Children's Advocacy Center</b>	\$20,000
<b>Subtotal</b>	<b>\$40,000</b>
<b>Total</b>	<b>\$138,362</b>
<b>Balance of funds with reductions made with proposed budget: \$99,574.82</b>	





## REQUEST FOR COUNCIL ACTION

**TO:** Ed Memmott, City Manager  
**FROM:** Jay Squires, Storm Water Manager  
**SUBJECT:** South Hampton Drive Culvert Improvement  
**DATE:** September 20, 2012

### BACKGROUND

Staff received bids for the South Hampton Drive Improvement Project on September 18, 2012. This project consists of removal and replacement of approximately 140 feet of storm drainage pipe from under South Hampton Drive.

The following bids were submitted:

P.A.R. Grading and Hauling, Inc. (Spartanburg, S.C.)	\$ 69,250.00
Martin & Son Contracting, Inc. (Spartanburg, S.C.)	\$ 97,430.00
McAbee Contractors (Spartanburg, S.C.)	\$ 120,481.50

Staff has reviewed the bids received, and the qualifications for each of these contractors, and determined that P.A.R. Grading and Hauling, Inc. is the responsive low bidder. No bids were submitted from MWBE certified contractors.

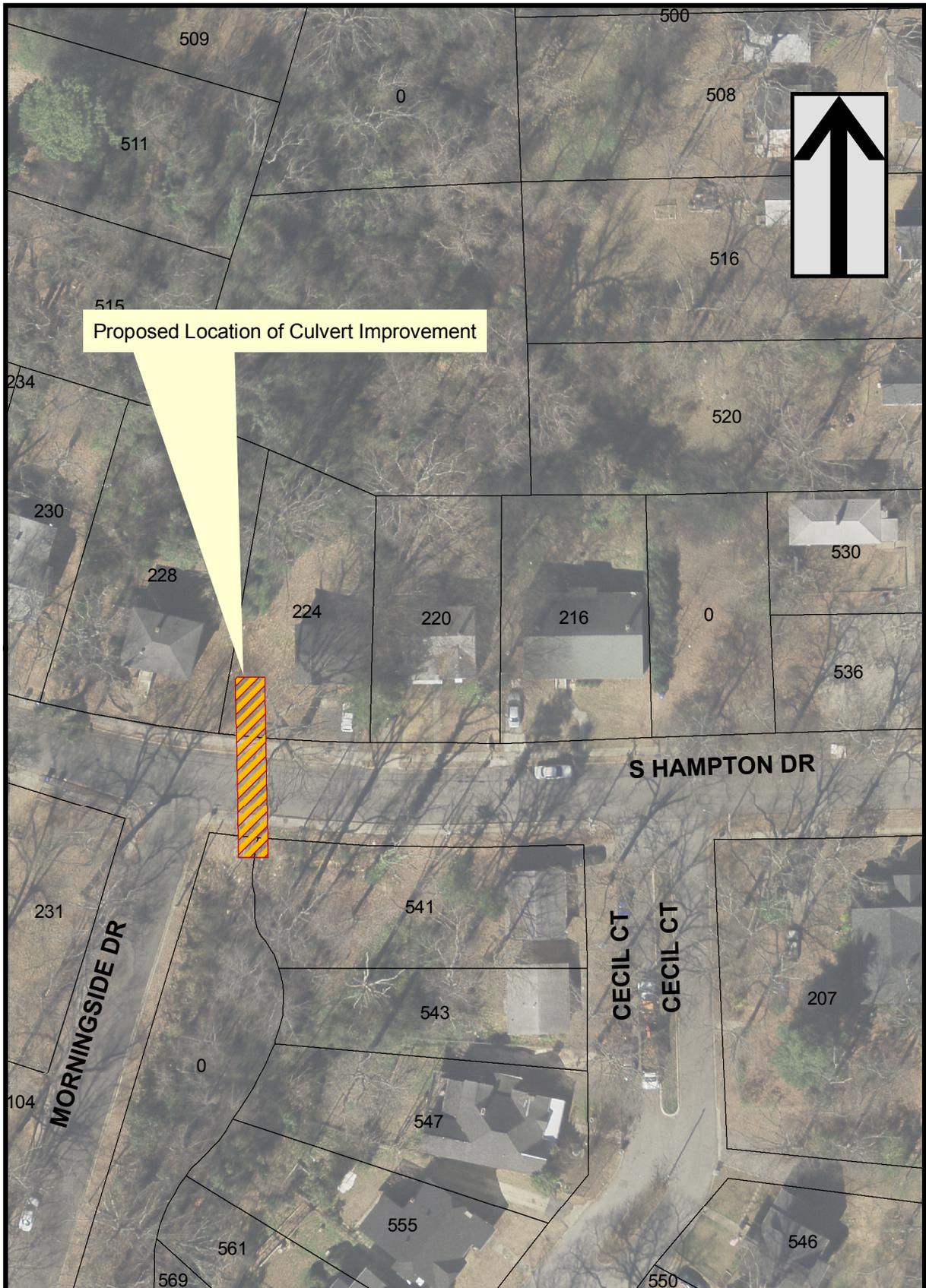
### ACTION REQUESTED:

Allow staff to accept the bid from P.A.R. Grading and Hauling, Inc. and authorize the City Manager to enter into a contract with P.A.R. Grading and Hauling, Inc. for the completion of the project.

### BUDGET AND FINANCE DATA:

\$ 69,250 from the Storm Water Utility fund will be used to complete the project.

# Proposed Culvert Improvement Project South Hampton Drive



**X. B**



## MEMORANDUM

**TO:** Mayor and Members of City Council

**FROM:** Ed Memmott, City Manager

**SUBJECT:** Discussion of Potential Amendment to City Code Chapter 10, Section 10-62  
“Parking of Vehicles in the City”

**DATE:** September 20, 2012

From time-to-time zoning enforcement staff has received complaints concerning the parking and storage of commercial contracting, landscaping, or tree service equipment at residentially zoned properties. In most instances, the resident works for or owns a contracting business and may park equipment used in their work at home. In more limited cases, equipment may be parked or stored at the resident for extended periods. There have been instances where the equipment is parked in the driveway or in the front or side yards.

Over the past few years, staff, while not having clear authority under the city code, has been able to intervene in most of these situations and bring about a resolution of the matter. In other more limited instances, the business owner will maintain that they are not operating the business from the residential property and the mere parking of equipment at their home is not prohibited by any specific code.

In certain instances this problem can create significant friction between neighbors. Striking the proper balance among the different interests is the challenge. Staff believes that neighborhood residents should not have to routinely accept the noise, disruption, and appearances of large commercial contracting equipment being regularly moved to and from (and sometimes stored) at residentially zoned property. On the other hand, staff is not suggesting that the City attempt to restrict all commercial equipment from being parked at a contractor’s home overnight.

In general, staff believes it would be appropriate for the City to adopt more definitive restrictions to address these situations. We believe that it would be appropriate for the City to specifically prohibit loading and/or unloading of commercial contracting equipment. It would be appropriate to specifically prohibit contractors from assembling their workforce at a residential property. Other restrictions to prohibit the parking or storage of contracting equipment such as backhoes, pull behind wood chippers, box trucks, skid loaders/ graders, bucket trucks, commercial lawn maintenance tractors, and/or trailers to transport this type of equipment would be reasonable. It is not staff’s intent to propose any restriction on commercial pick-up trucks, vans, or enclosed trailers.

Staff has drafted an Ordinance amendment that is intended to assist Council with an initial discussion of this matter and help staff gauge Council’s interest in moving forward with an effort to enact additional restrictions.

AN ORDINANCE

TO AMEND THE CODE OF THE CITY OF SPARTANBURG 1988, CHAPTER 10 "MOTOR VEHICLES AND TRAFFIC," AND SPECIFICALLY SECTION 10-62, "PARKING OF VEHICLES IN THE CITY," TO ADD UNDER A SUBPARAGRAPH TO PROHIBIT COMMERCIAL EQUIPMENT VEHICLE OR COMMERCIAL GATHERING PLACE.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN COUNCIL ASSEMBLED:

Section 1. To amend Sec. 10-62, "Parking of vehicles in the City," by inserting a new subparagraph (3) "Any vehicle, with or without a trailer, not in violation of this ordinance, that carries equipment, shall not be used to store, load or unload equipment at the residence, nor shall the residence serve as a gathering place for workers or employees of a business" and changing the numbering of old subparagraphs (3) and (4) to be the new subparagraphs (4) and (5) so that after amendment, said subsection (a) shall read as follows:

**Sec. 10-62. Parking of vehicles in the City.**

(a) *Parking of commercial vehicles and buses in residential district prohibited.*

- (1) No person shall park, store, or knowingly permit any other person to park or store a commercial vehicle on any street, road or right-of-way within the City in a residential district or on any residential lot at any time of day or night.
- (2) A commercial vehicle includes a vehicle that is (a) a tractor-trailer; or (b) a cab or tractor without trailer; or (c) transports sixteen (16) or more passengers; or (d) used to transport hazardous materials; or (e) having more than six (6) tires and which bears any sign or marketing which advertises or identifies any business or commercial interest. The above restrictions shall not apply to private or public school buses.

- (3) Any vehicle, with or without a trailer, not in violation of this ordinance, that carries equipment, shall not be used to store, load or unload equipment at the residence, nor shall the residence serve as a gathering place for workers or employees of a business.
- (4) Moving or delivery vans being loaded or unloaded for a period not to exceed forty-eight (48) hours are exempt from this section without a permit but periods in excess of forty-eight (48) hours will require a permit from the City Building Official.
- (5) Trailers used in construction, renovations or improvement activities shall be allowed on the construction site with a permit issued by the City Building Official.

Section 2. This Ordinance shall become effective upon the date of enactment.

DONE AND RATIFIED this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
MAYOR.

ATTEST:

\_\_\_\_\_  
CITY CLERK.

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY.

\_\_\_/\_\_\_/\_\_\_ 1st Reading

\_\_\_/\_\_\_/\_\_\_ 2nd Reading