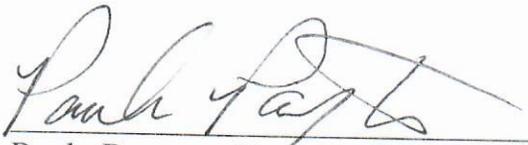


Ordinance # / Resolution Proclamation	Title
2012- 1119	"Amending the Business License Ordinance Provisions for Insurance Companies"
2012- 611	"Ordinance Prohibiting the Non-Emergency Use of Compression Brakes"
2012- 514	"Ordinance to Regulate the Burning of Leaves, Tree Branches and Yard Trimmings"
2012- 0305	"Conveyance of Title to Real Property to Charles (Justin) & Jamie Emery"
2012 – 0409a (R)	<i>Resolution</i> "In Support of Fair Housing"
2012 – 0409b (R)	<i>Resolution</i> "Public Service Values"

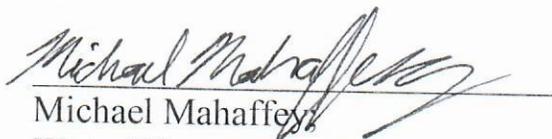
Town of West Pelzer CODE OF ETHICS

- To uphold constitutional government and the laws of my community;
- To so conduct my public and private life as to be an example to my fellow citizens;
- To impart to my profession these standards of quality and integrity that the conduct of the affairs of my office shall be above reproach and to merit public confidence in our community;
- To be ever mindful of my neutrality and impartiality, rendering equal service to all and to extend the same treatment I wish to receive myself;
- To record that which is true and preserve that which is entrusted to me as if it were my own; and;
- To strive constantly to improve the administration of the affairs of my office consistent with applicable laws and through sound management practices to produce continued progress and so fulfill my responsibilities to my community and others.

With my signature I promise to follow the above listed code of ethics and to enforce and uphold the code of ethics within my department.


Paula Payton; Clerk/Treasurer


Shane Black; Court Clerk


Michael Mahaffey;
Water/Wastewater Superintendent


Mike Clardy; Chief of Police

This document has been signed and agreed upon by all department heads of the Town of West Pelzer on the 5th day of April 2012.

Town of West Pelzer Resolution 2012-0409b “Public Service Values”

WHEREAS, the Town of West Pelzer desires to promote Public Service Values.

WHEREAS, It is of the greatest importance that all Public Service officials (elected, appointed or hired) of the Town of West Pelzer uphold good values.

WHEREAS,

- **Honesty.** This is the most basic level of ethics. Everyone has the responsibility to be truthful, straightforward and sincere in their dealings with others.
- **Integrity.** Integrity requires the courage to act on one’s values, beliefs and convictions, and to do what is right rather than what is expedient.
- **Keeping promises.** The ethical public official must live up to the spirit as well as the letter of agreements and commitments that have been made.
- **Fidelity.** The trustworthy public official is loyal to the organization and the principles of public service.
- **Fairness.** Because the public official is in a position to exercise discretion, it is imperative that the decision making process be fair. There must be a commitment to justice, equal treatment, and tolerance. The public official must be open-minded and willing to consider diverse opinions.
- **Caring.** The ethical public official manifests an attitude of concern for the well being of others and conducts the affairs of the organization with compassion and kindness.
- **Respect.** It is imperative that public officials demonstrate respect for human dignity and privacy.
- **Citizenship.** Public officials have the responsibility to serve as role models for others to encourage participation in and respect for the democratic process of decision making.

- **Excellence.** Public officials must be well informed and prepared to carry out their responsibilities. They must be diligent, reliable and committed. They must insist that the organization strive for excellence in carry out its activities.
- **Accountability.** The public official has a special obligation to be accountable for his or her actions, and the actions of the organization.
- **Avoidance of the Appearance of Impropriety.** Because the public official is responsible to safeguard the public trust, what they do must not only be right, it must look right.

NOW, THEREFORE, BE IT RESOLVED, that the Town of West Pelzer does hereby accept and promote the above listed Public Service Values for elected, appointed and hired officials of the Town of West Pelzer.

Resolved this 9th day of April, 2012 by the Town of West Pelzer
Town Council.

RESOLUTION 2012-0409a

in Support of

FAIR HOUSING

WHEREAS, the Town of West Pelzer desires that all its citizens be afforded the opportunity to attain a decent, safe, and sound living environment; and

WHEREAS, the Town of West Pelzer rejects discrimination on the basis of race, religion, color, sex, national origin, disability, and/or familial status, in the sale, rental, or provision of other housing services; and

WHEREAS, the State of South Carolina enacted the South Carolina Fair Housing Law in 1989; and

WHEREAS, April is recognized nationally as Fair Housing Month;

NOW, THEREFORE, BE IT RESOLVED, that the Town of West Pelzer does hereby designate April 2012 as Fair Housing Month.

Adopted this 9th Day of April, 2012 by the Town of West Pelzer Town Council.

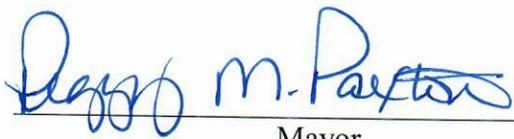
Ordinance 2012-0305
**“Conveyance of Title to Real Property to Charles (Justin)
& Jamie Emery”**

During the January 9, 2012 Council meeting the Council unanimously agreed to allow Mayor Paxton to enter into a contract with Mr. Emery, providing that if Mr. Emery removed the mobile home and all accompanying trash in or about the real property located at 20 Drake Street, Lot 9 in West Pelzer, then the Town would convey its interest in said real property to Mr. Emery. Mr. Emery has completed the work; home has been removed and lot has been cleared.

The purpose of the this ordinance is to authorize the conveyance of title to real property located at 20 Drake Street, Lot 9, West Pelzer, South Carolina from the Town of West Pelzer to Charles (Justin) & Jamie Emery, and further, to authorize and direct that the Mayor execute a Quitclaim deed to Mr. Emery on behalf of the Town of West Pelzer.

1st Reading 3-5-12

2nd Reading 4-9-12



Mayor



Clerk

TOWN OF WEST PELZER

VOID

ORDINANCE #2012-514

ORDINANCE TO REGULATE THE BURNING OF LEAVES, TREE BRANCHES AND YARD TRIMMINGS

BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF WEST PELZER, SOUTH CAROLINA:

PURPOSE: To regulate the open burning of leaves within the corporate limits of the Town of West Pelzer for the benefit of the health and general welfare of the citizens.

SECTION 1: Open burning of any materials other than leaves, tree branches and yard trimmings originating on the premises of private residences and burned on those premises shall be unlawful. This limitation does not apply to campfires or other recreational burning.

SECTION 2. Any such open burning of leaves, tree branches and yard trimmings shall ONLY be allowed on the first and third Saturdays of each month beginning November 1st of each year through the following March 31st. NO such open burning of leaves, tree branches and yard trimmings is allowed from April 1st through October 31st of each year.

SECTION 3. No such open burning of leaves, tree branches and yard trimmings shall begin before 9:00 AM and no such fires shall be started after 3:00 PM nor shall any leaves, tree branches or yard trimmings be added to any such fire after 3:00 PM. All such fires shall be fully extinguished by 5:00 PM on the same day that any such fires were started.

SECTION 4. Any such open burning of leaves, tree branches and yard trimmings shall be monitored at all times by a person who is eighteen (18) years of age or older until said fire is completely extinguished.

SECTION 5. Any violation of this ordinance shall be a misdemeanor punishable, upon conviction, by a fine not exceeding Five Hundred Dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both, per offense. Any violation of this ordinance shall be tried in municipal court.

ALL ORDINANCES WHICH CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

THIS ORDINANCE SHALL BECOME EFFECTIVE AS OF THE DATE OF THE SECOND READING AND FINAL ADOPTION HEREOF.

First Reading Date: 5-14-12

Second Reading Date: 6-11-12

Attest: 

Peggy Paxton, Mayor



Paula Payton, Town Clerk

Replaced by
Ord # 2017-14
1/17/17

TOWN OF WEST PELZER

ORDINANCE #2012-611

**ORDINANCE PROHIBITING THE NON-EMERGENCY USE OF COMPRESSION
BRAKES**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL FOR THE TOWN OF
WEST PELZER, SOUTH CAROLINA:**

WHEREAS, the Town of West Pelzer has received complaints from citizens regarding the noise created by trucks using compression brakes to slow their vehicles; and

WHEREAS, the noise created by the use of compression brakes interferes with the peace and repose of the citizens of the Town of West Pelzer at varying hours during the day and the night; and

WHEREAS, the Mayor and Town Council find that adoption of this ordinance would further the public health, safety and general welfare of the citizens of the Town of West Pelzer; now therefore,

BE IT HEREBY ORDERED AS FOLLOWS:

SECTION 1: Use of Unmuffled Compression Brakes Prohibited.

- A. Except as otherwise provided in this ordinance, no person shall use unmuffled motor vehicle compression brakes within the corporate limits of the Town of West Pelzer unless said unmuffled compression brakes were applied in an emergency situation to protect person and/or property.
- B. This ordinance shall not apply to vehicles of any municipal or other fire department, whether or not responding to an emergency.
- C. As used in this ordinance, the term "compression brakes" means the use of the engine and transmission to retard the forward motion of a motor vehicle by compression of the engine. "Compression brakes" are also often referred to as "jake brakes".
- D. The Town of West Pelzer shall post signs at reasonable locations within its corporate limits stating "Use of Unmuffled Compression Brakes Prohibited" or substantially similar wording. The South Carolina Department of Transportation shall also have the authority to post signs pursuant to this ordinance on roads within the corporate limits of the Town of West Pelzer.
- E. Any violation of this ordinance shall be a traffic infraction punishable by a fine not exceeding Two Hundred Fifty Dollars (\$250.00) or incarceration not exceeding thirty

(30) days, or both, per offense. Any violations of this ordinance shall be tried in municipal court.

ALL ORDINANCES WHICH CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

THIS ORDINANCE SHALL BECOME EFFECTIVE AS OF THE DATE OF THE SECOND READING AND FINAL ADOPTION HEREOF.

First Reading Date: 6-11-12

Second Reading Date: 7-9-12

Attest:


Peggy Paxton, Mayor



Paula Payton, Town Clerk

2012-1119

**AN ORDINANCE
Amending the Business License Ordinance
Provisions for Insurance Companies**

WHEREAS, the South Carolina General Assembly, in order to ensure consistency with the federal Non-admitted and Reinsurance Reform Act of 2010 ("NRRA"), ratified an act (Rat# 283) on June 28, 2012, amending S.C. Code §§ 38-7-16 and 38-45-10 through 38-45-195; and

WHEREAS, the act establishes a blended broker's premium tax rate of 6 percent comprised of a 4 percent state broker's premium tax and a 2 percent municipal broker's premium tax; and

WHEREAS, the act states a municipality may not impose on brokers of non-admitted insurance in South Carolina an additional license fee or tax based upon a percentage of premiums; and

WHEREAS, the act authorizes the Municipal Association of South Carolina to act as the municipal agent for purposes of distributing to municipalities the municipal broker's tax collected by the South Carolina Department of Insurance; and

WHEREAS, it is necessary to amend the Business License Ordinance to conform to the State law as amended;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City/Town of _____, that the Business License Ordinance is amended by changing the provisions for insurance companies as follows:

SECTION 1.

<u>SIC</u>	<u>NAICS</u>
<u>CODE</u> or	<u>CODE</u>
63	5241

Insurance Companies: Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition, "gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium..

Solicitation for insurance, receiving or transmitting an application or policy, examination of a risk, collection or transmitting of a premium, adjusting a claim, delivering a benefit, or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Gross premiums shall include all business conducted in the prior calendar year.

Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit.

Declining rates shall not apply.

631-632	52411	<u>Life, Health and Accident</u>	0.75% of Gross Premiums
633-635	524126	<u>Fire and Casualty</u>	2% of Gross Premiums
636	524127	<u>Title Insurance</u>	2% of Gross Premiums

SECTION 2.

Notwithstanding any other provisions of this ordinance, license taxes for insurance companies shall be payable on or before May 31 in each year without penalty. The penalty for delinquent payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

SECTION 3.

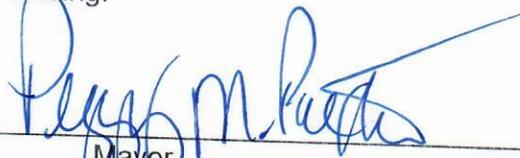
Any exemptions in the business license ordinance for income from business in interstate commerce are hereby repealed. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax.

SECTION 4.

Pursuant to S.C. Code Ann. §§ 38-45-10 and 38-45-60, the Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The agreement with the Association for administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and administration of the municipal broker's premium tax in the form attached hereto is approved, and the Mayor is authorized to execute it.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective on the date of final reading.



Mayor

ATTEST:



Clerk

First reading: 11-19-12

Final reading: 12-10-12