

MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

5:15 P. M., FEBRUARY 7, 2022

THE MEETING WAS HELD IN PERSON IN THE AV ROOM #308 IN CITY HALL.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 5:15 p.m., FEBRUARY 7, 2022.

Committee Members Present:

Chad Robinson, Chair

Bobby Reishman, Vice Chair (arrived at 5:37, after approval of minutes)

Ben Adams (arrived at 5:51, after all votes)

Becky Ceperley

Adam Knauff

Emmett Pepper

Keeley Steele (via Zoom)

Absent:

None

Councilmembers also Present:

Mary Beth Hoover

1. Approval of Previous – Councilmember Ceperley motioned to approve the previous minutes from 1-18-2022. Councilmember Knauff seconded. With the members being present having voted unanimously in the affirmative, the Chair declared the minutes approved.

Bill No. 7945 Committee Substitute – A BILL to amend and reenact Sections of the Municipal Code of the City of Charleston relating to updating the vacant structure registry; updating definitions; clarifying exemptions, and increasing fees.

Councilmember Pepper, the bill's sponsor, added that the term 'habitual presence' has been clarified, in that just because someone regularly cuts the grass, doesn't always mean the building isn't vacant. The bill also corrects a loophole where an actively renovating status did not need to have an end date, and thus could never be considered a vacant structure. The proposed bill limits that to 18 months. Additionally, a structure is not considered vacant if it has at least been inhabited by an owner within 18 months. A \$750 registration fee has been added for empty and open buildings, with an additional \$1,000 if it remains empty and open 6 months later. If a building has been on the registry for over a year, then the fee has been increased to \$20/day fee will apply. Councilmember Pepper added that the Committee Substitute takes the suggestion from the community that makes allowances for if the owner resides within 300 feet of the vacant structure, in addition to a technical change

Councilmember Knauff asked if the previously mentioned 300 feet was a long distance between houses or property lines. Director of Planning, Dan Vriendt, replied that it was about a block, and any farther than that would probably not have a line of sight with the property.

Councilmember Ceperley confirmed with Councilmember Pepper that Council had passed related fees in 2019 that had mostly not been implemented. Councilmember Ceperley asked if these fines are actually paid and productive. Vriendt added that out-of-state, absent landlords most frequently hold up the process and are the biggest violators.

Councilmember Steele expressed concerns that the City would not be effective at keeping track of the process, and added that there doesn't seem to be a distinction in the bill between commercial and private properties. Councilmember Steele asked if double taxation would occur for cases where overdue City-related fees (such as refuse) were owed. City Attorney, Kevin Baker, added that refuse fees are assessed on every structure, occupied or not. This would be separate from any fees associated with vacant structures. Councilmember Knauff asked if they felt that the clause provides satisfactory justifications for the Building Commission supporting the extension. He was under the impression that written justification would be adequate for commercial or residential properties. Councilmember Steele added that she thought commercial properties were in a completely different category. She added that she was concerned owners would tear down their commercial properties as opposed to work on them.

With no further discussion, Councilmember Pepper made a motion to approve the Bill. Councilmember Knauff seconded. With those being present having voted unanimously in the majority as affirmative, with 2 recognized Nays from Ceperley and Steele, the Chair declared Bill No. 7945 Committee Substitute as approved.

Bill No. 7946 – A bill amending the Code of the City of Charleston by adjusting the qualifications for service on the Charleston Historic Landmarks Commission.

Baker added that for the Historic Landmarks Commission, State law dictates that a majority of the members have to demonstrate a certain special interest: history, architecture, planning, real estate or law. The current code provides for specific qualifications for 4 of those members, and one of those specifically mentions a real estate broker. Clarifying that language will open the position up to more people who would qualify.

With no further discussion, Councilmember Ceperley made a motion to approve the Bill. Councilmember Reishman seconded. With those being present having voted unanimously in the affirmative, the Chair declared Bill No. 9746 as approved.

Open discussion on ideas for any possible ordinance changes

Councilmember Robinson stated that he wanted to have an open discussion on any ordinances that should be examined that are outdated or need updates, etc. Baker added that a lot of the City Code hasn't been updated since the 1970s.

Councilmember Steele added that it would be good to have a strategy session to go over them.

Councilmember Robinson added that he was working with Baker to come up with a way to possibly move the simple Code updates through Council quicker than the usual process.

Councilmember Reishman motioned to adjourn the meeting. Councilmember Ceperley seconded. Meeting adjourned.