

**THE IRMO TOWN COUNCIL WILL HOLD A CHRISTMAS TREE LIGHTING CEREMONY
ON TUESDAY, DECEMBER 4, 2018 AT 6:00 P.M. IN THE TOWN PARK, 7331 CARLISLE
STREET, IRMO SOUTH CAROLINA 29063.**

**A REGULAR COUNCIL MEETING WILL FOLLOW THE CEREMONY AT 7:00 P.M. IN THE
MUNICIPAL BUILDING, 7300 WOODROW STREET, IRMO, SOUTH CAROLINA 29063**

A G E N D A

- I. Call to Order
- II. Pledge of Allegiance
- III. Invocation
- IV. Reading of the Minutes: November 6, 2018 and November 12, 2018
- V. Report of Standing
 - A. Administrative Briefing
 - B. Code Enforcement Update
- VI. Amendments to the Agenda
- VII. Consideration of Communications
 - A. Presentation from “Able South Carolina” Ms. Kimberly Tissot (Walker)
- VIII. Presentation by Citizens (Agenda Items Only)
- IX. **UNFINISHED BUSINESS**
 - A. **THIRD AND FINAL READING** of Ordinance 18-33 amending the Irmo Town Code, Appendix A Zoning Ordinance; Article VI – Supplemental Off-Street Parking and Loading Regulations; Section 6-4 – Parking, Storage and use of Vehicles and Equipment in Residential Zones (Condom)
 - B. **SECOND READING** of Ordinance 18-34 amending the Irmo Town Code, Appendix A Zoning Ordinance; Article VIII – Administrative Procedures and Enforcement Regulations; Section 8-10 – Reasonable Accommodations (Staff)
- X. **NEW BUSINESS**
 - A. Approval of Resolution 18-07 to appoint a Substitute Municipal Judge to perform duties as the Court Administrator (Staff)
 - B. Approval of contract with Cummins Station (Edwin McCain Band) for the 2019 Okra Strut not to exceed \$21,600 (Okra Strut Commission)
 - C. Approval of the 2019 Council Meeting Schedule (Staff)
 - D. Appointment to the Planning Commission (Staff)
- XI. Presentation by Citizens
- XII. Discussion
- XIII. Executive Session
(Council may act on items discussed in executive session after returning from the executive session).
- XIV. Adjournment

STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

ORDINANCE NO. 18-34

AN ORDINANCE AMENDING THE IRMO TOWN CODE, APPENDIX A – ZONING ORDINANCE; ARTICLE VIII – ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS; SECTION 8-10, REASONABLE ACCOMMODATIONS

BE IT ORDERED AND ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF IRMO IN COUNCIL, DULY AND LAWFULLY ASSEMBLED, THAT THE IRMO TOWN CODE IS AMENDED AS FOLLOWS:

Add: “*Section 8-10 – Reasonable Accommodations*”

Applicability.

Reasonable accommodation in the land use and zoning context means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.

An individual with a disability is someone who has a physical or mental impairment that limits one or more major life activities; anyone who is regarded as having such impairment; or anyone with a record of such impairment.

A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a land use, zoning or building regulation, policy, practice or procedure acts as a barrier to fair housing opportunities.

Requesting Reasonable Accommodation.

A. In order to make housing available to an individual with a disability, any eligible person as defined herein may request a reasonable accommodation in land use, zoning and building regulations, policies, practices and procedures.

B. Requests for reasonable accommodation shall be in writing and provide the following information:

- (1) Name and address of the individual(s) requesting reasonable accommodation;
- (2) Name and address of the property owner(s);
- (3) Address of the property for which accommodation is requested;
- (4) Description of the requested accommodation and the regulation(s), policy or procedure for which accommodation is sought; and
- (5) Reason that the requested accommodation may be necessary for the individual(s) with the disability to use and enjoy the dwelling.

C. Any information identified by an applicant as confidential shall be retained in a manner to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. A request for reasonable accommodation in regulations, policies, practices and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

E. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will aid ensure that the process is accessible.

Reviewing Authority.

A. Requests for reasonable accommodation shall be reviewed by the zoning administrator using the criteria set forth herein. If a request for accommodation is denied by the zoning administrator, the decision may be appealed by filing a Notice of Appeal with the Zoning Board of Appeals within thirty (30) days of the decision.

B. The reviewing authority shall issue a written decision on a request for reasonable accommodation within thirty (30) days of the date of the application and may either grant, grant with modifications, or deny a request for reasonable accommodation in accordance with the required findings set forth herein.

C. If necessary to reach a determination on the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws, specifying in detail the information that is required. If a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.

Required Findings.

The written decision to grant, grant with modifications, or deny a request for reasonable accommodation shall be consistent with fair housing laws and based on the following factors:

(1) Whether the housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;

(2) Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the fair housing laws;

(3) Whether the requested accommodation would impose an undue financial or administrative burden on the jurisdiction and;

(4) Whether the requested accommodation would require a fundamental alteration the jurisdiction's land use and zoning or building program.

Written Decision on the Request for Reasonable Accommodation.

A. The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including the reviewing authority's findings on the criteria set forth herein. All written decisions shall give notice of the applicant's right to appeal.

The notice of decision shall be sent to the applicant by certified mail.

B. The written decision of the zoning administrator shall be final unless an applicant appeals it to the Zoning Board of Appeals.

C. If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30) day time allotted, the request shall be deemed granted.

D. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

Appeals.

A. Within thirty (30) days of the date of the zoning administrator's written decision, an applicant may appeal an adverse decision to the Zoning Board of Appeals. Appeals from the adverse decision shall be made in writing.

B. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will aid ensure that the appeals process is accessible.

C. All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner to respect the privacy rights of the applicant and shall not be made available for public inspection.

D. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available. Any adverse ruling of the Zoning Board of Appeals may be appealed to the appropriate Circuit Court pursuant to SC Code § 6-29-820, et seq.

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STATE OF SOUTH CAROLINA)
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TOWN OF IRMO)

RESOLUTION 18-07
TO APPOINT SUBSTITUTE MUNICIPAL JUDGE

WHEREAS, the Town of Irmo, South Carolina, is a municipal corporation, incorporated and existing under the laws of the Great State of South Carolina, and;

WHEREAS, the Town of Irmo through its duly constituted Council desires to nominate, constitute and appoint certain municipal officers to conduct business on behalf of the Town to act in the capacity as a Substitute Municipal Judge with no trial authority, with additional duties as Court Administrator;

NOW, THEREFORE, BE IT RESOLVED, by authority of South Carolina Code Section 14-25-15, Council of the Town of Irmo, South Carolina, in Council duly assembled on this 4th day of December by:

1. That Kim Hoffman, as Substitute Municipal Judge with additional duties as Court Administrator, is hereby authorized and empowered on behalf of the Town of Irmo to sign any and all documents, warrants and orders, which are necessary to carry on the court operation, activities and functions of the Town of Irmo Municipal Court for a term of four (4) years. This duty would be facilitated by the continued instructions of the Irmo Chief Administrative Judge and by the South Carolina Court Administration.
2. That Irmo Chief Administrative Judge and South Carolina Court Administration may rely upon the authority conferred by this Resolution until the receipt of said institutions of a certified copy of a Resolution by Council of the Town of Irmo revoking or modifying the same.

BE IT FURTHER RESOLVED that this Resolution 18-07 shall become effective on December 4th, 2018.

IRMO TOWN COUNCIL 2019 MEETING SCHEDULE

JANUARY:	1/1/2019	No Meeting	1/15/2019	Regular Meeting
FEBRUARY:	2/5/2019	Regular Meeting	2/19/2019	Regular Meeting
MARCH:	3/5/2019	Regular Meeting	3/19/2019	Budget Workshop - 6:00 Regular Meeting
APRIL:	4/2/2019	Regular Meeting	4/16/2019	Budget Workshop - 6:00 Regular Meeting
MAY:	5/7/2019	Regular Meeting	5/21/2019	Budget Workshop - 6:00 Regular Meeting
JUNE:	6/4/2019	Regular Meeting	6/18/2019	Regular Meeting
JULY:	7/2/2019	Regular Meeting	7/16/2018	Regular Meeting
AUGUST:	8/6/2019	Regular Meeting	8/20/2019	Regular Meeting
SEPTEMBER:	9/3/2019	No Meeting	9/17/2019	Regular Meeting
OCTOBER:	10/1/2019	Regular Meeting	10/15/2019	Regular Meeting
NOVEMBER	11/5/2019	No Meeting Election Day	11/19/2019	Regular Meeting
DECEMBER:	12/3/2019	Tree Lighting - 6:00 Regular Meeting	12/17/2019	Regular Meeting

NOTE: All meeting times are at 7:00 p.m unless noted.