

COUNTY OF HAMPTON)

ORDINANCE # 2012 – 006

STATE OF SOUTH CAROLINA)

AMENDMENT TO ORDINANCE # 2001-0716-002.

AN ORDINANCE TO IMPLEMENT THE ENHANCED 9-1-1 EMERGENCY TELEPHONE SYSTEM AND TO PROVIDE FUNDING FOR THE ENHANCED 9-1-1 SYSTEM AS PROVIDED BY THE SOUTH CAROLINA CODE OF PUBLIC LAW, TITLE 23, CHAPTER 47, AS AMENDED 1991.

ORDINANCE AMENDED TO REQUIRE THE POSTING OF E-911 ADDRESSES PER SOUTH CAROLINA LAW 23-47-60.

BE IT ORDAINED BY THE HAMPTON COUNTY COUNCIL:

Section 1

Findings

- A. It is the desire of Hampton County Council to shorten the time and to simplify the method required for a resident of Hampton County to receive emergency aid.
- B. It is the further intent of Hampton County Council to implement the Hampton County Emergency Number 9-1-1 Telephone System throughout the legally bounded areas of Hampton County, as provided by the S.C. Code of Public Law, Chapter 47, as amended October 1, 1991, 23-47-10 through 23-47-80.
- C. It is the further intent of Hampton County Council to provide funding by which to allow operation, maintenance and enhancements of E 9-1-1 by leaving a monthly charge upon each local exchange access facility subscribed by telephone subscribers whose local exchange access lines are in the area served by or which would be served by the E 9-1-1 service and/or system of Hampton County.
- D. It is the further intent of the Hampton County Council to require the correct posting of E-911 addresses to ensure public safety in rendering the provisions of such vital public services as law enforcement, fire, rescue and emergency medical services more economic, effective and efficient.

Section 2

General Requirements

- A. The Hampton County 9-1-1 System is the Enhanced System type and; shall fully comply with all specific requirements of the S.C. Code, Title 23, Chapter 47, Sections 10 through 80.

- B. The Hampton County Office of E 9-1-1 is charged with the responsibility of maintaining the data base, managing the County 9-1-1 system, providing guidance, support and assistance, as needed, to the municipalities, the Sheriff's Office, Hampton County EMS, all County Fire Districts and other Public Safety Agencies, as may be appropriate.
- C. An Emergency Telephone System Fund shall be established in an interest bearing account by the County Treasurer. The requirements and limitations in the S. C. Code Sections 23-47-10 through 80 shall apply.

Section 3

E 9-1-1 Service Fee, Billing and Collection

- A. The E 9-1-1 Service Fee shall include charges as may be required by the Service Suppliers and agreed upon by Hampton County and such charges for support, planning, operation and current or future enhancements as required by Hampton County and outlined in S.C. Code Sections 23-47-10 through 80.
- B. The initial E 9-1-1 Service Fee charge, which will become effective upon adoption of this ordinance, shall be \$1.00 per month per applicable subscriber line, for each billed line intended to have access to Emergency Service through the Hampton County E 9-1-1 Service Telephone System. And be it further ordained that a monthly charge shall be levied upon each local exchange access facility subscribed to by telephone subscribers whose local exchange access lines are in the area served by or which would be served by the 9-1-1 service and/or system of the jurisdiction of the county as provided for in the ordinance, in amounts permitted pursuant to S.C. Code 23-47-50, and subject to approval by the Division of Information Resource Management of the South Carolina Budget and Control Board provided that the amounts of such levy shall be set forth precisely in each annual, or supplemental budget ordinance as appropriate together with a provision providing that such charges were a tax enforceable under S.C. Code 23-47-50-(B). Said E 9-1-1 Service Fee rate shall include funding for only such expenses and costs as are authorized under provisions of South Carolina Code Section 23-47-40(A), (B), and (D), as may be approved by the Hampton County Council attendant to the normal adoption of the County's Ordinary and Capital Budgets. Said budget shall clearly delineate the estimated E 9-1-1 Service Fee revenue and the associated expense, and sources of revenue and authorized expenses from sources other than the E 9-1-1 Service Fee, by budget account and line item/object.
- C. The E 9-1-1 Service Fee shall be uniform and not vary according to the type of local Exchange Access.
- D. Coin operated telephones are toll free for 9-1-1 calls, but certain locations, such as detention centers or institutions may be denied access to 9-1-1 at the discretion of the responsible Director and the E 9-1-1 Coordinator. Other coin operated telephones where it can be clearly justified as not being in the public interest to continue or have access to 9-1-1 may also be denied such access.

- E. The Service Supplier shall remit to Hampton County E 9-1-1 Service Fee Collections within 45 calendar days following the end of the month as such funds and, upon receipt of a monthly bill from the Service Supplier, Hampton County will remit payment.
- F. An audit and budget reconciliation shall be conducted annually. The audit shall comply with the requirement of the S.C. Code Section 23-47-50(E).

Section 4

Accounting and Management

- A. As provided in S. C. Code Section 23-47-50©, Hampton County is responsible for the collection of delinquent accounts having access to the E 9-1-1 system. The E 9-1-1 Coordinator shall cause procedures to be established with the Service Supplier for the identification of such accounts and the Service Supplier shall forward such information to the appropriate authority for collection procedures.
- B. The E 9-1-1 Coordinator and the Hampton County Building Official are responsible within Hampton County for the administration of this Ordinance and S. C. code Sections 23-47-10 through 80.

Section 5

Road Naming

- A. All road naming activity shall be coordinated with the Hampton County Office of E-9-1-1 pursuant to Ordinance # 93-02, Road Naming Ordinance of Hampton County.

Section 6

Addressing of Properties

- A. The Hampton County Building Official shall ensure that all dwellings, buildings, structures and certain other properties i.e. parks, ball fields, cemeteries and places of assembly within unincorporated areas of Hampton County, and any municipalities that have an intergovernmental agreement with Hampton County, have been assigned an E911 address.
- B. Each dwelling, building, structure, or certain other property i.e. park, ball field, cemetery or place of assembly must be assigned a separate number. A number or alphabetical letter must be assigned for each separate unit within a building or other occupied structure. Examples include apartments and business offices.
- C. Written notification of the proper address of each dwelling, building, structure or certain other property i.e. park, ball field, cemetery or place of assembly shall be given upon request to the owner, occupant, or agent in all instances where a new number has been assigned. New and existing streets and addresses shall receive verification of the correct address upon request.

- D. The owner of each dwelling, building, structure or certain other property i.e. park, ball field, cemetery or place of assembly that has been assigned an E-911 address shall place or cause to be placed the address on the dwelling, building, structure or certain other property i.e. park, ball field, cemetery or place of assembly within fifteen days (15)days after receiving written notification of the proper address from the Hampton County Building Department.
- E. All costs associated with displaying the E-911 address shall be paid by the property owner or occupant.

Section 7

Posting of Residential Address Numbers

E-911 Address numbers shall be conspicuously placed immediately above, on, or at the side of the main entrance of the dwelling, building or structure so that the number is clearly visible. Address numbers shall be Arabic numerals and shall be a minimum of three (3) inches in height with at least a ½ inch brush stroke. Numbers must be of a durable, clearly visible material that contrasts with the color of the structure. In cases where the house, building or other structure is situated more than thirty (30) feet from the street or road right of way the E-911 address numbers shall be posted at the main entrance of the property where the structure is located. Numbers shall be placed at or within ten (10) feet of the road right of way and within twenty (20) feet of the driveway, unless otherwise authorized by the Building Official. The E911 address must be posted in such a way as to allow the numbers to be visible for a minimal site distance of two hundred (200) feet from both directions of travel. Address numerals shall be in plain block numeric numbers and not be in alpha or cursive style print. The numerals must be posted on a reflective plate or sign not less than 108 square inches. The numerals must be reflective and a minimum of three (3) inches in height with at least a ½ inch brush stroke. The numerals must be of a durable, clearly visible material and must contrast with the background color.

Section 8

Posting of Business/Commercial Address Numbers and Letters

E-911 Address numbers and letters shall be conspicuously placed immediately above, on, or at the side of the main entrance of the structure so that the number is clearly visible. Numbers and letters placed on the structure shall not be less than four (4) inches in height with a minimum brush stroke of one half (1/2) inch and must be of a durable, clearly visible material that contrasts with the color of the structure. In cases where the building is situated more than thirty (30) feet from the road right of way address numbers and letters

shall be posted at the main entrance of the property where the business is located. Numbers shall be placed at or within ten (10) feet of the road right of way and within twenty (20) feet of the main driveway, unless otherwise authorized by the Building Official. The E-911 address must be posted in such a way as to allow the numbers to be visible for a minimal site distance of one hundred (200) feet from both directions of travel. Address numbers shall be plain block numeric numbers and not in alpha or cursive style print. E911 address numbers shall be posted on a reflective plate or sign not less than 108 square inches with reflective numerals and letters a minimum of three (3) inches in height with at least a ½ inch brush stroke. The numerals and letters must be of a durable, clearly visible material and must contrast with the color of the background.

Section 9

Notification

- A. Whenever the Building Official or his/her designee determines that a property is in violation of the 911 Ordinance, he or she should serve upon the owner or the responsible party a written warning of compliance citing:
- a. The date and location of the violation.
 - b. A brief description of the violation.
 - c. The action required to correct the violation.
 - d. The time period for the correction shall be at least fifteen (15) days. The Building Official may grant an extension of time upon good cause, provided the responsible party signs a written agreement to correct the violation within a specific time.
 - e. After initial written notification the second (2nd) notice may be sent by a certified letter with a citation including a court date, or a hand delivered citation including a court date.

Section 10

Penalties

- A. Any person who shall violate any provision of this ordinance, including the provision of S. C. Code title 23, chapter 47, shall be deemed to be guilty of a misdemeanor and, upon conviction of such offense, shall be fined not more than two hundred dollars (\$200) a day or imprisoned for not more than thirty (30) days, and in addition, shall pay all costs and expenses involved in the case. Each and every day or portion thereof during which any violation continues shall be considered a separate offense.

Section 11

Severability

- A. Should any word, phrase, clause or provision of this ordinance be declared invalid or unconstitutional by a court or competent jurisdiction, such declaration shall not affect this ordinance as a whole or any part hereof except that specific provision declared by such court to be invalid or unconstitutional.

Section 12

- A. All ordinances or parts of ordinances in conflict with this ordinance or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this ordinance full force and effect.**

The intent of this ordinance is not to exclude any resident or property owner of Hampton County from State or Federal laws or regulations regarding 911 addressing or posting of addresses.

APPROVAL AND EFFECTIVE DATE

This ordinance # 2012-006 the Hampton County Flood Damage Prevention Ordinance shall take effect and be enforced from and after **August 1 , 2012.**

APPROVED this 18th day of June, 2012

ATTESTED BY:

HAMPTON COUNTY COUNCIL

Aline Newton, Clerk to Council

Hugh B. Gray, Chairman

Virgin Johnson, Sr.

Charles H. "Buddy" Phillips

Christopher B. Haulsey

Shedron D. Williams

This ordinance has been reviewed by me and is hereby approved as to form and legality.

Algernon Solomons, Jr.