



**Town of Sullivan's Island  
Town Council Special Meeting  
Monday, December 4, 2017  
Town Hall, 2056 Middle Street  
6:00 p.m.**

- 1. Call to Order and notification that press and public were duly notified in accordance with State Law.**
- 2. Second Reading, Ordinance 2017-05, An Ordinance Amending Section 10-20 of the Code of Ordinances for the Town of Sullivan's Island to Revise Business License Fees.**
- 3. First Reading, by Title Only, Ordinance 2017-06, An Ordinance to Amend Sections 3-7 C. of the Ordinances for the Town of Sullivan's Island Pertaining to Dog Permits and Badges.**
- 4. Public Comment**
- 5. Adjourn**

**ORDINANCE 2017-05**

**AN ORDINANCE AMENDING SECTION 10-20 OF THE CODE OF ORDINANCES FOR THE TOWN OF SULLIVAN’S ISLAND TO REVISE BUSINESS LICENSE FEES**

**WHEREAS**, Title 5 Section 7 Paragraph 30 of the South Carolina Code of Law provides each municipality of the State the authority to levy a business license tax on gross income, in addition to other taxes and fees, when it appears to be necessary to preserve health, peace, order and general welfare; and,

**WHEREAS**, the members of Town Council have recognized a need to increase the business license tax in the Town;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Town Council of the Town of Sullivan’s Island, in Council assembled, that Section 10-20 of the Sullivan’s Island Code of Ordinances shall be and are hereby amended to read specifically as follows:

Sec. 10-20. Classification Rate Schedule. (12/16/08) (12/18/12) (11/19/13) (12/16/14)

The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the Standard Industrial Classification Manual (SIC). The License Inspector shall determine the proper class for a business according to the SIC. (12-15-92)

<u>CLASS</u>	<u>INCOME: 0 - \$2,000</u> MINIMUM	<u>RATES</u>
		<u>ALL OVER \$2,000</u> Rate per thousand (for portion round off to next thousand)
1	\$49.97	\$2.50
2	\$62.35	\$2.70
3	\$74.68	\$2.85
4	\$86.80	\$3.08
5	\$100.00	\$3.23

6	\$111.99	\$3.45
7	\$125.24	\$3.61
7a	\$1,000.00	See Rate Schedule Below
8	See individual business in Class 8.	

NON-RESIDENT RATES

**Unless otherwise specifically provided, all minimum fees and rates shall be doubled for non-residents and itinerants having no fixed principal place of business within the municipality. In order for the business to be considered a resident business, the location must be the only location for the business or the location must generate at least eighty-five percent (85%) of the total income for the business.**

CLASS 7a Rates (11/17/09)

	<u>Base Rates</u>	
	<u>RESIDENTS</u>	<u>NON-RESIDENTS</u>
Gross income less than \$10,000	\$1,000.00	\$1,500.00
Gross income of \$10,000 or more	\$1,000.00	\$2,000.00

Rate Structure

Gross income less than \$20,000 ..... Base rate

Gross income of \$20,000 to \$30,000.....Base rate and \$10 per thousand

Gross income of \$30,001 to \$50,000.....Base rate and \$20 per thousand

Gross income of more than \$50,000.....Base rate and \$30 per thousand

**Per thousand rate shall not be doubled for non-residents under Class 7a.**

CLASS 8 RATES

(Each SIC Number designates a separate subclassification. The businesses in this section

are treated as separate and individual subclasses due to provisions of State Law, regulatory requirements, service burdens, tax equalization considerations, etc., which are deemed to be sufficient to require individually determined rates. Non-residents rates do not apply except where indicated. Businesses listed in this ordinance which are not permitted under the Zoning Ordinance may not be licensed.)

SIC 15, 16 & 17 Contractors, construction, all types.

	<u>Income</u>	<u>Minimum</u>	<u>Per \$1,000 or fraction</u>
A. Having permanent place of business within the municipality			
<b>FIRST \$2,000 .....</b>		<b>\$124.92</b>	<b>plus</b>
<b>EACH ADDITIONAL \$1,000 .....</b>			<b>\$3.62</b>
B. Itinerant (no permanent place of business within the municipality or non-resident)			
<b>FIRST \$2,000 .....</b>		<b>\$249.84</b>	<b>plus</b>
<b>EACH ADDITIONAL \$1,000 .....</b>			<b>\$7.24</b>

A trailer at the construction site, a home office or structure in which the contractor resides is not a permanent place of business under this ordinance.

The total fee for the full amount of the contract shall be paid prior to commencement of work and shall entitle the contractor to complete the job without regard to the normal license expiration date.

No contractor shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

No Sub-contractors shall be issued a business license until all state and municipal qualification examination and trade license requirements have been met. Each contractor shall post a sign in plain view on each job identifying the contractor with the job.

No Sub-contractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general or prime contractor for value of work performed by a sub-contractor.

No contractor shall be issued a business license until all performance and indemnity bonds required by the Building code have been filed and approved. Zoning permits must be obtained when required by the Zoning Ordinance.

Each prime contractor shall file with the License Inspector a list of subcontractors furnishing labor or materials for each project.

<u>SIC</u>		<u>License Fee</u>
40	- <u>Railroad Companies</u> - (See Code Sec. 12-23-210)	\$75.00
4121	- <u>Taxicabs</u> - On gross income --- Rate Class 7 (proof of insurance required.)	
481	- <u>Telephone Companies not occupying public street pursuant to Franchise</u> - on gross receipts from customers' premises, telecommunications equipment, intrastate long distance tolls, service work charges, directory, miscellaneous and supplemental services billed to customers located within the municipality. Charges billed to customers located within the municipality shall be deemed to have been apportioned by the company according to services rendered within the municipality.	
	On gross receipts not exceeding \$25,000 .....	\$250.00
	On the next \$175,000 per \$1,000 .....	5.00
	Over \$200,000 per \$1,000 .....	1.00
	<u>Telephone companies occupying public streets</u> pursuant to franchise may pay fee in lieu of a business license, OR receive credit for business license fees as provided by the franchise agreement.	
4841	- <u>Television, Cable or Pay</u> .....	Franchise
491	-	
493	- <u>Electric and Gas Companies</u> .....	Franchise
		<u>Per \$1,000 or Fraction</u>
	<u>Income</u>	<u>Minimum</u>
5093	- <u>Junk or Scrap Dealers</u> (non-resident rates apply)	
	First \$2,000 .....	\$116.00 PLUS
	Over \$2,000 .....	\$3.21
55	- <u>Automotive and Motor Vehicle Dealers and Farm Machinery, Retail</u> -	
	First \$2,000 .....	\$ 41.00 PLUS
	Over \$2,000 .....	\$1.95
	One sales lot not more than 400 feet from main showroom may be operated under this license provided that proceeds from sales thereafter included in gross receipts at main office when both are operated under the same name and ownership.	

Gross receipts for this classification shall include full sales price without deduction for trade-ins.

Dealer transfers shall not be included in gross receipts.

<u>SIC</u>	<u>Income</u>	<u>Minimum</u>	<u>Per \$1,000</u> <u>or Fraction</u>
5812/5813	-	<u>Restaurants, retail food businesses, convenience stores or other similar establishments, which sell or serve alcoholic beverages or permit the consumption of alcoholic beverages on the premises, and general food establishments –</u>	
	First \$2,000 .....	\$170.14	PLUS
	Over \$2,000 .....		\$3.38
5932	-	<u>Pawn Brokers - All Types</u>	
	First \$2,000 .....	\$121.28	PLUS
	Over \$2,000 .....		\$3.34
5962	-	<u>Vending Machines</u> and all other coin operated Automatic Merchandising Machines (Not included in Business Gross Income): <b>\$12.50 stamp per machine required PLUS</b>	
	First \$2,000 .....	\$71.75	PLUS
	Over \$2,000 .....		\$2.73
5963	-	<u>Peddlers, Solicitors, Canvassers, Door-To-Door Sales,</u> direct retail sales of merchandise. (Non-resident rates apply)	
	(a) Regular activities (not more than two sales periods of more than three days each per year)		
	First \$2,000 .....	\$95.33	PLUS
	Over \$2,000 .....		\$3.08
	(b) Seasonal activities (not more than two sale periods of not more than three days each year, separate license required for each sale period)		
	First \$2,000 .....	\$ 5.96	PLUS
	Over \$2,000 .....		\$3.08

SIC      NAICS  
CODE or CODE

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 (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. (12-6-04)

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. Sections 38-45-10 and 38-45-60, the Municipal Association of South Carolina is designated the municipal agent for the 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 Section 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.

7993 - Amusement Machines, Coin Operated.

A. Music machines, kiddie rides, and amusement machines licensed pursuant to S. C. Code S23-21-2720 (A) (1) and (A) (2):

**\$14.20 per machine PLUS**

**First \$2,000 income ... minimum \$116.00 PLUS**

**Over \$2,000 .... \$3.63 per thousand or portion thereof.**

B. Video poker and amusement machines licensed pursuant to S. C. Code S12-21-2720 (A)(3):

**\$170.00 per machine PLUS**

**First \$2,000 income ... minimum \$127.50 PLUS**

**Over \$2,000 .... \$3.63 per thousand or portion thereof. (1-18-94)**

7999 - Billiard or Pool Rooms. All types.

**\$58.15 stamp per table required PLUS**

**First \$2,000 income ... \$11.58 PLUS**

**Over \$2,000... \$3.63**

7999 - Carnivals and Circuses

First \$2,000 income .... \$11.58 PLUS

Over \$2,000 .....\$3.63



## RATE CLASSIFICATION INDEX

### RATE CLASS 1

<u>SIC</u>	<u>Business Group</u>
47	- Travel Agencies
53	- General Merchandise Stores
54	- Food Stores
553-554	- Auto Supply Stores and Gasoline Service Stations
56	- Apparel and Accessory Stores
636-639	- Insurance Companies (Except Life, Health, Fire & Casualty)
86	- Membership Organizations

### RATE CLASS 2

<u>SIC</u>	<u>Business Group</u>
01	- Agricultural Production - Crops
02	- Agricultural Production - Animals
20	- Food and Kindred Products
22	- Textile Mill Products
23	- Apparel & Other Finished Products from Fabrics and Similar Materials
25	- Furniture and Fixtures
30	- Rubber and Miscellaneous Plastic Products
31	- Leather and Leather Products
32	- Stone, Clay, Glass & Concrete Products
33	- Primary Metal Industries
34	- Fabricated and Metal Products (Except Machinery and Transportation Equipment)
37	- Transportation Equipment
39	- Miscellaneous Manufacturing Industries
50	- Wholesale Trade - Durable Goods
51	- Wholesale Trade - Nondurable Goods
52	- Building Materials, Hardware, Garden Supply and Mobile Home Dealers
57	- Furniture, Home Furnishings & Equipment Stores
70	- Hotels, Rooming Houses, Camps and Other Lodging

### RATE CLASS 3

#### SIC

#### Business Group

- 07 - Agricultural Service
- 24 - Lumber and Wood Products (Except Furniture)
- 26 - Paper and Allied Products
- 29 - Petroleum Refining and Related Industries
- 36 - Electrical and Electronic Machinery, Equipment and Supplies
- 42 - Motor Freight Transportation & Warehousing
- 44 - Water Transportation
- 45 - Transportation by Air
- 59 - Miscellaneous Retail (Except vending machines, peddlers and pawnbrokers)
- 61 - Credit Agencies other than Banks
- 75 - Automotive Repair, Services and Garages
- 78 - Motion Pictures
- 79 - Amusement and Recreation Service (Except Motion Pictures, Amusement Machines and Carnivals)
- 89 - Miscellaneous Services

### RATE CLASS 4

#### SIC

#### Business Group

- 27 - Printing, Publishing & Allied Products
- 28 - Chemicals and Allied Products
- 35 - Machinery, Except Electrical
- 48 - Communication (Except Telephone)
- 76 - Miscellaneous Repair Services

### RATE CLASS 5

#### SIC

#### Business Group

- 09 - Fishing, Hunting and Trapping
- 14 - Mining - Minerals
- 38 - Measuring, Analyzing and Controlling Instruments; Photographic, Medical and Optical Goods; Watches and Clocks
- 41 - Local & Suburban Transit & Interurban Highway Passenger Transportation
- 62 - Security & Commodity Brokers, Dealers, Exchanges and Services
- 73 - Business Services



- 5962 - Vending Machines (Automatic Merchandising)
- 5963 - Peddlers

RATE CLASS 8 (CONT.)

- 631-635 - Insurance Companies, Fire and Casualty, Life and Health
- 6411 - Brokers for Non-admitted Insurers
- 7993 - Amusement Machines, Coin Operated
- 7999 - Billiard or Pool Tables, All Types
- 7999 - Carnivals and Circuses

If a term or portion of this ordinance is invalid the remaining ordinance remains valid.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON RATIFICATION.

SIGNED, SEALED, AND DELIVERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2017.

\_\_\_\_\_  
Patrick M. O'Neil, Mayor

Attest:

Attest to form:

\_\_\_\_\_  
Courtney E. Liles, Town Clerk

\_\_\_\_\_  
Lawrence Dodds, Town Attorney

First Reading: November 21, 2017  
Second Reading: December 4, 2017  
Third Reading and Ratification:

**ORDINANCE 2017-06**

**ORDINANCE TO AMEND SECTIONS 3-7 C. OF THE  
ORDINANCES FOR THE TOWN OF SULLIVAN'S ISLAND**

**WHEREAS**, the Town Council has found that residents and visitors who may own, keep or have custody of dogs bring the animal to the beach area (RC-1) throughout the year; and,

**WHEREAS**, the Town Council has found that use of the beach area (RC-1) by residents and visitors throughout the year requires a safe, clean, and healthy environment; and

**WHEREAS**, the Town Council has found the impact of visitors bringing the dogs into the Town limits demands the use of additional Town resources;

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL MEETING DULY ASSEMBLED**, as follows:

1. Section 3-7 C: Dog permits and badges required is hereby amended to read as follows:
  - C. The Town Clerk shall annually provide a sufficient number of metal badges suitable for dogs to be fastened to the animal's collar, numbered from one upwards, and stamped "Dog Permit" and year of issue. This badge and the written permission required in Sec. 3-7 A. shall be delivered to the person owning, keeping, or harboring the dog upon the payment of the sum of \$25.00 for residents of the Town and \$35.00 for non-residents of the Town of Sullivan's Island. Said sum may be increased from time to time by Resolution of Town Council in a meeting duly assembled.

**The remaining sections of 3-7 shall remain the same.**

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON RATIFICATION.

SIGNED, SEALED AND DELIVERED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.

\_\_\_\_\_  
Patrick M. O'Neil, Mayor

Attest:

\_\_\_\_\_  
Courtney Liles, Town Clerk

First Reading: December 4, 2017

Second Reading:

Third Reading and Ratification:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lawrence Dodds – Town Attorney