



REQUEST FOR COUNCIL ACTION
City of Greenville, South Carolina

Agenda Item No.

15a

TO: Honorable Mayor and Members of City Council
FROM: John F. McDonough, City Manager

Ordinance/First Reading Ordinance/Second & Final Reading Resolution/First & Final Reading Information Only

AGENDA DATE REQUESTED: April 11, 2022

ORDINANCE/RESOLUTION CAPTION:

ORDINANCE AMENDING CHAPTER 8, BUSINESSES, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE PERTAINING TO BUSINESS LICENSE TAX AND OTHER BUSINESS REGULATIONS

SUMMARY BACKGROUND:

In late 2021, City Council adopted a new Business License ordinance that repealed and replaced the former ordinance in order to comply with the State's Business License Standardization Act. After the adoption of the Ordinance, Staff has identified several inadvertent scrivener's errors that needs to be corrected before the new ordinance is formally codified.

The attached ordinance includes the following technical corrections:

1. Authorizes the repeal of Section 8-78 of the prior Business License Ordinance, which was intended in the 2021 update.
2. Clarifies that the Business License incentive for annexed properties only applies to voluntary annexations not required by utility covenants.
3. Adds Arcadia Hills to the list of Special Emphasis neighborhoods pertaining to the Grocery Store incentive.
4. Removes reference to building fee rebates for targeted industry incentives. It was not intended to apply to that category of incentives.

IMPACT IF DENIED:

The amended Chapter 8 will not be codified into the Code of Ordinances.

FINANCIAL IMPACT:

N/A

REQUIRED SIGNATURES

Department Director

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OMB Director

City Attorney

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City Manager

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AN ORDINANCE

AMENDING CHAPTER 8, BUSINESSES, OF THE CODE OF ORDINANCES OF THE CITY OF GREENVILLE PERTAINING TO BUSINESS LICENSE TAX AND OTHER BUSINESS REGULATIONS

WHEREAS, in October and November 2021, City Council considered and adopted a reconstructed Business License Ordinance to comply with the requirements of State law; and

WHEREAS, subsequent to the adoption of the new ordinance, staff has identified an inadvertent scrivener's error that must be corrected before the Ordinance is codified; and

WHEREAS, in reviewing the applicability of the Business License incentives included in the Ordinance, staff has determined that further clarification is needed; and

WHEREAS, City Council desires to adopt the amendments set forth herein;

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, Chapters 8, Businesses, of the Code of Ordinances of the City of Greenville are hereby amended as follows:

1. Code Section 8-78, Coined operated machines, of the previous Business License Ordinance is hereby repealed in its entirety, as was intended in Section 5 of Ordinance 2021-74.

2. Referring to the language as provided in Ordinance No. 2021-73, Chapter 8, Article II, is hereby amended as follows:

- a. Section 3(f)(b): a commercial business voluntarily annexed into the City of Greenville after the effective date of this ordinance without having been required to do so by utility service annexation covenant.
- b. Section 3(h): "Special Emphasis Neighborhoods" means areas identified by the Community Development division as higher proportion of low to moderate income residents and which are majority minority neighborhoods. At the time of ordinance adoption, this includes the specified areas of Arcadia Hills, Brutontown, Greater Sullivan, Green Avenue, Greenline Spartanburg, Haynie Serrine, Nicholtown, Pleasant Valley, Southernside, Sterling, Viola Street, West End and West Greenville.
- c. Section 4(b)(ii): ~~100% of building permit fees associated with that portion of any facility constructed or renovated to accommodate the newly established business provided said fees are actually received by the City.~~

3. Should any provision, section, paragraph, sentence, or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, or words of this ordinance as hereby adopted shall remain in full force and effect.

DONE, RATIFIED AND PASSED THIS THE ____ DAY OF _____, 2022.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

REVIEWED:

CITY MANAGER