City of Charleston
South Carolina
Department of Traffic & Transportation

Traffic & Transportation Committee
Conference Call #1-929-205-6099
Access ID: 556 524 367
June 14, 2021  Time: 2:30 p.m.

Chair, Councilmember Michael Seekings
Vice-Chair, Councilmember Karl L. Brady, Jr.
Councilwoman Marie Delcioppo
Councilwoman Carol Jackson
Mayor John J. Tecklenburg

AGENDA

1. Invocation
2. Approval of Minutes
   May 24, 2021
3. King St Road Safety Study (Line to Huger)
   (Information Only)
   Josh Johnson Engineer
   SCDOT District 6
4. An ordinance to amend Chapter 19 of the Code of the
   City of Charleston by amending Article XVII, Section 19-493,
   to update dumpster permit fees; to add a new Article XX
   providing an amended definition for Right-of-Way Obstructions,
   a new fee for full street closures and partial street obstructions,
   and other right-of-way obstruction fees such as metered parking
   space and non-metered parking space permit fees; and adopting
   a fee schedule therefor, attached hereto and incorporated herein
   by reference as Exhibit 1.
   Mallary Scheer
5. Pedicab Ordinance and Contract Renewals
   (Information Only)
   Councilmember Seekings
6. Director’s Update
   Keith Benjamin
7. Discussion

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign
Language) interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to
schumacherj@charleston-sc.gov three business days prior to the meeting.
AN ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 19 OF THE CODE OF THE CITY OF CHARLESTON BY AMENDING ARTICLE XVII, SECTION 19-493, TO UPDATE DUMPSTER PERMIT FEES; TO ADD A NEW ARTICLE XX PROVIDING AN AMENDED DEFINITION FOR RIGHT-OF-WAY OBSTRUCTIONS, A NEW FEE FOR FULL STREET CLOSURES AND PARTIAL STREET OBSTRUCTIONS, AND OTHER RIGHT-OF-WAY OBSTRUCTION FEES SUCH AS METERED PARKING SPACE AND NON-METERED PARKING SPACE PERMIT FEES; AND ADOPTING A FEE SCHEDULE THEREFOR, ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE AS EXHIBIT 1.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 19, Article XVII, Section 19-493(c) of the Code of the City of Charleston is hereby amended by deleting the struck through text and adding thereto the following underlined words, to state as follows:

“Sec. 19-493. Dumpster permit required.

(c) The fee for a dumpster permit shall reflect actual costs of occupying a metered and/or non-metered parking space, as ten ($10.00) dollars, per day or as otherwise set from time to time by the department of traffic and transportation. In the event the dumpster is placed in a metered parking space, the fee shall include the additional cost of a daily meter bag fee for each parking space used.”

Section 2. Chapter 19 of the Code of the City of Charleston is hereby amended by adding a new Article XX to state as follows:

“ARTICLE XX – RIGHT-OF-WAY OBSTRUCTION FEES

Sec. 19-520 - Authority.

This article is adopted pursuant to the authority conferred upon the city by the South Carolina Constitution, Act No. 194 of the Acts and Joint Resolutions of 1971 enacted by the General Assembly of the State of South Carolina, approved April 23, 1971, in 1976 South Carolina Code of Laws Sections 4-9-30, 4-9-40, 5-7-30, and 5-7-60.
Sec. 19-521. - Jurisdiction.

The jurisdiction and scope of this article shall encompass the corporate limits of the city, as they may be adjusted from time to time after the ratification of this article.

Sec. 19-522. - Purpose.

Right-of-Way Obstruction affects the quality of life and business operations within the City of Charleston. As such, the provisions of this article are promulgated pursuant to the city’s authority to safely ensure right-of-way obstructions are properly permitted.

Sec. 19-523. - Definitions.

Right-of-Way obstructions are temporary or permanent obstructions occurring in a public street or sidewalk and are defined as follows for the purpose of this article only:

*Full Street* shall be defined as the obstruction of a public street (curb to curb or EOP to EOP) such that no access is provided to the existing street for general vehicular traffic.

*Street Lane - Partial Closure* shall be defined as the obstruction along a street travel lane such that limited access is provided to the existing street for general vehicular traffic.

*Parking Space* shall be defined the obstruction along on-street parking such that limited access is provided to the space for general vehicular traffic.

*Sidewalk – Full Closure* shall be defined the obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic.

*Sidewalk – Auxiliary (AUX)* shall be defined as the obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic, but supplementary or alternative means such as cargo containers, scaffolding and temporarily constructed boardwalks/paths are provided to facilitate continued pedestrian movement through or adjacent to the obstructed sidewalk.

*Sidewalk – Partial Closure* shall be defined as the obstruction of a sidewalk such that limited, ADA- and PROWAG-compliant access is provided to the existing sidewalk utilizing means such as barricades and traffic cones.

*Major Street* shall be defined as Interstates, State and County Highways, primary collector streets as defined in the City’s GIS system and by SCDOT.

*Minor Street* shall be defined as neighborhood streets as defined in the City’s GIS system and by SCDOT.
Sec. 19-524. - Fees.

(a) Permits shall be required by the Department of Traffic and Transportation for the right-of-way obstructions defined in section 19-523 of this article and fees shall be instituted by the Traffic and Transportation Department Director as necessary to safely manage right-of-way obstructions.

(b) Fees shall be charged based on costs associated with permitting review and inspection in accordance with the fee schedule established and reviewed from time to time by the council. A schedule of right-of-way obstruction fees shall be made available to the public online at the city's website, at the clerk of council's office, or at the Department of Traffic and Transportation.

Section 3. The Traffic and Transportation Fee Schedule attached hereto and incorporated herein by reference as Exhibit 1 is hereby adopted for the referenced dumpster permit fees and right-of-way obstruction fees.

Section 4. This Ordinance shall become effective upon ratification; provided, however, the Fee Schedule shall become effective on August 16, 2021."

Ratified in City Council this ___ day of __________ in the Year of Our Lord, 2021, in the 246th Year of the Independence of the United States of America.

By: 

John J. Tecklenburg
Mayor

Attest: 

Jennifer Cook
Clerk of Court
CITY OF CHARLESTON, SC.

Construction Permit and Right-of-Way Obstruction Fees

Approved by Ordinance No. 2021-

Effective August 16, 2021

APPLICABILITY

The following is a description of fees charged for permits issued by and for various services performed by the City of Charleston Traffic and Transportation Department. Fees herein are only applicable for Traffic and Transportation. Other fees may apply, but not limited to, the following: Fire Marshall Division, City of Charleston Business License; South Carolina Contractor’s License; City Engineering Services; and Building Inspection Division.

DEFINITIONS

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</tr>
<tr>
<td>Minor Street</td>
<td>Neighborhood streets as defined in the City’s GIS system and by SCDOT.</td>
</tr>
</tbody>
</table>
FEE CALCULATIONS

Right-of-Way obstructions will be calculated using the following:
1. The review fee amount shall be the highest applicable individual review fee per request.
2. The inspection fee amount shall be the highest applicable individual inspection fee amount per obstructed right-of-way frontage.
3. An additional $18.00 per day fee per metered space will be applied to any permit that obstructs a parking metered space.
4. An additional $10.00 per day fee will be applied to any permit involving dumpsters or moving vehicles.

This fee structure would not apply to utilities that have an active franchise agreement with the City of Charleston. Refunds must be applied for before the permit expires and will only be given for future days and the original permit must be returned.

FEE SCHEDULE AS OF AUGUST 16, 2021

<table>
<thead>
<tr>
<th>Review Type</th>
<th>Review Fee</th>
<th>Daily Inspection Fee</th>
<th>Daily fee per metered space</th>
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</thead>
<tbody>
<tr>
<td>FULL STREET CLOSURE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Full Streets - Major</td>
<td>$401.00</td>
<td>$35.00</td>
<td>$18.00</td>
</tr>
<tr>
<td>Full Streets - Minor</td>
<td>$167.00</td>
<td>$17.50</td>
<td>$18.00</td>
</tr>
<tr>
<td>STREET LANE OBSTRUCTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partial Street / Lane Closure - Major</td>
<td>$47.50</td>
<td>$17.50</td>
<td>$18.00</td>
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<tr>
<td>Partial Street / Lane Closure - Minor</td>
<td>$30.00</td>
<td>$17.50</td>
<td>$18.00</td>
</tr>
<tr>
<td>PARKING SPACE OBSTRUCTION</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metered space</td>
<td>$18.50</td>
<td>$18.00</td>
<td>$17.50</td>
</tr>
<tr>
<td>Non-metered space</td>
<td>$18.50</td>
<td>$0.00</td>
<td>$17.50</td>
</tr>
<tr>
<td>Review Type</td>
<td>Daily Inspection Fee</td>
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| MISC.
RIGHT-OF-WAY
OBSTRUCTIONS | Dumpster/POD $17.50  |
|                      | Moving $17.50        |