

**John J. Tecklenburg**  
Mayor



**Randall Keith Benjamin, II**  
Director

## City of Charleston

South Carolina

Department of Traffic & Transportation

### Traffic & Transportation Committee

Conference Call #1-929-205-6099

Access ID: 556 524 367

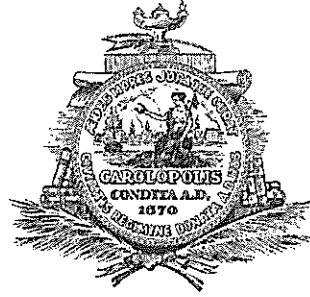
June 14, 2021 Time: 2:30 p.m.

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

### AGENDA

1. Invocation Councilwoman Delcioppo
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. Mallery 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](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.



Ratification  
Number \_\_\_\_\_

## 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 COUNCILMEMEBERS 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 246<sup>th</sup> 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**

Right-of-Way obstructions are temporary or permanent obstructions occurring in a public street or sidewalk. Below are definitions

Full Street	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	The obstruction along a street travel lane such that limited access is provided to the existing street for general vehicular traffic.
Parking Space	The obstruction along on-street parking such that limited access is provided to the space for general vehicular traffic.
Sidewalk – Full Closure	The obstruction of a sidewalk such that no access is provided to the existing sidewalk for general pedestrian traffic.
Sidewalk – Auxiliary (AUX)	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	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	Interstates, State and County Highways, primary collector streets as defined in the City’s GIS system and by SCDOT.
Minor Street	Neighborhood streets as defined in the City’s GIS system and by SCDOT.

**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**

Review Type		Review Fee	Daily Inspection Fee	Daily fee per metered space
<b>FULL STREET CLOSURE</b>	Full Streets - Major	\$401.00	\$35.00	\$18.00
	Full Streets - Minor	\$167.00	\$17.50	\$18.00

Review Type		Review Fee (per lane)	Daily Inspection Fee	Daily fee per metered space
<b>STREET LANE OBSTRUCTION</b>	Partial Street / Lane Closure – Major	\$47.50	\$17.50	\$18.00
	Partial Street / Lane Closure – Minor	\$30.00	\$17.50	\$18.00

Review Type		Review Fee	Daily Fee per space/vehicle	Daily Inspection Fee
<b>PARKING SPACE OBSTRUCTION</b>	<sup>2</sup> Metered space	\$18.50	\$18.00	\$17.50
	Non-metered space	\$18.50	\$0.00	\$17.50

Review Type		Daily Inspection Fee
MISC.	Dumpster/POD	\$17.50
RIGHT-OF-WAY OBSTRUCTIONS	Moving	\$17.50