

MAYOR
Michael D. Fuesser

MAYOR PRO TEM
Edward Brown

CITY MANAGER
Dalton Pierce, MPA



CITY COUNCIL
Matt Hickey
Marion Ramsey
Stephanie Jarrett
Charles Brewer
Kellie Harrold

CITY CLERK
Amy Craig

York City Council
Work Session Agenda
Tuesday, January 16, 2024
Meeting at 5:00 PM

1. WELCOME AND CALL TO ORDER

MAYOR MIKE FUESSER

2. PRAYER

MAYOR PRO TEM ED BROWN

3. PLEDGE OF ALLEGIANCE

MAYOR MIKE FUESSER

4. PRESENTATIONS

4.1 Jefferson Remembered 1888-1970

5. DISCUSSIONS

- 5.1 Jefferson Field
- 5.2 Anti-Fraud Policy
- 5.3 First Amendment Auditor Policy
- 5.4 Street Acceptance Policy
- 5.5 Capital/Fixed Asset Policy
- 5.6 Subdivision Speed Limit Standard
- 5.7 Construction Debris Chapter 36 Article II Sec. 36-46 (a) 5 Amendment
- 5.8 Urban Camping Ordinance
- 5.9 FY2025 Budget Schedule

6. ADJOURN

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: January 2nd, 2024

SUBJECT: City Council Workshop Discussion Items 5.1 to 5.9



GENERAL INFORMATION

5.1: Jefferson Field

City representatives met with Jefferson Remember 1888-1970 on December 13, 2023, to discuss the Green St. Park Project that was approved in the FY23-24 Budget for \$325K with the City having completed the survey and received a conceptual for the park on January 8, 2024, and Jefferson Field. Additionally, the City received a letter from YSD1 Chairman Childers on November 29, 2023, regarding the lease agreement regarding Jefferson Field.

5.2 Anti-Fraud Policy

City staff have prepared an Anti-Fraud Policy from one of a few recommendations from the FY21-22 Audit. The City of York Anti-Fraud Policy aims to safeguard the reputation and financial viability of the City of York by improved management of fraud risk. It sets out explicit steps to be taken in response to reported or suspected fraud, as well as measures that will be taken to prevent or minimize the risk of fraud.

5.3 First Amendment Auditor Policy

City staff have prepared a First Amendment Auditor Policy from MASC recommended best practices. This Policy is designed to address the possibility of First Amendment audits. In brief, First Amendment audits are situations in which private citizens video record municipal facilities or employees to determine whether the municipality is complying with the First Amendment. The courts have generally recognized that video recording is a form of speech that is protected by the First Amendment. Therefore, private citizens have the constitutional right to record public employees in public places. That right is not unlimited and may be regulated in nonpublic forums and limited public forums. Municipalities may also regulate conduct to ensure the orderly operation of municipal functions and to protect the rights of their employees and private visitors.

5.4 Street Acceptance Policy

City Staff have developed a Street Acceptance Policy due to the large growth and all streets within these developments will eventually be owned and maintained by the City of York. This item was brought before the City Council at the March 20, 2023, workshop. From time to time, the York City Council may consider requests from property owners to accept one or more privately owned streets into the City of York Street Maintenance System for public ownership and maintenance. For the purpose of this policy, a "street" shall include all public infrastructure located within a public right-of-way, including, but not limited to: travel lanes, curb and gutter, drainage, and sidewalks, as well as planting strips, planted medians and street trees, which may be subject to a maintenance agreement between the Town and the applicant.

Notwithstanding any provision of this Street Acceptance Policy, City of York Council shall have, at their sole discretion, the authority to accept, not accept, or to accept subject to a maintenance agreement any street or portion thereof.

5.5 Capital/Fixed Asset Policy

City staff have prepared a Capital/Fixed Asset Policy from GSAB recommended best practices. The purpose of capital and fixed assets policy and procedures is to provide financial and management information regarding fixed assets that facilitate valuation and financial reporting; allow management to make effective and accurate fixed asset acquisition, deployment, replacement, and maintenance decisions; and assure that these valuable items are properly safeguarded and protected.

5.6 Subdivision Speed Limit Standard

City staff have prepared a recommendation for subdivision street speed limit for City of York-owned roadways based on the York Police Department has request that traffic control requirements for subdivisions be considered/created for the City. On December 18, 2023, the Planning Commission was presented with the recommendation of a subdivision speed limit of 20 mph. The Planning Commission voted in favor of supporting the recommendation. Lastly, under the SC Code of Laws, Section 56-5-710 provides powers to local authorities to establish a speed limit for streets and highways under their jurisdiction.

5.7 Construction Debris Chapter 36 Article II Sec. 36-46 (a) 5 Amendment

City staff has brought a recommendation to amend the Construction Debris Article II Sec. 36-46 (a) 5.

Sec. 36-46. - Construction/destruction debris.

- (a) It shall be unlawful to place at the curb for regular pickup any of the following:
 - (1) Material resulting from work for which a building permit is required;
 - (2) Material from contracted landscape or tree work, or any other contracted work;
 - (3) Material from rental property generated by the property owner;
 - (4) Hazardous waste, stumps, dirt, rocks, concrete or bricks;
 - (5) Debris from demolition or remodeling exceeding \$1,000.00.**
- (b) Except for hazardous waste, householders with such regulated debris may make arrangements in advance with the city public works department for a special collection, for which a fee will be charged.

(Code 1977, § 10-21.2; Ord. No. 01-343, 4-3-2001)

5.8 Urban Camping Ordinance

The Police Department has requested that urban camping requirements be considered/created for the City. After discussion with Lt. Bailey, City Manager Pierce and City Attorney Brice, the Planning Department created the attached draft ordinance for consideration. The Planning Commission has recommended approval of the noted draft ordinance.

5.9 FY2025 Budget Schedule

City staff have prepared the FY2025 Budget Schedule per MASC recommended best practices. The Council should enact the annual operating budget before the beginning of each fiscal year. Because the budget is a financial operating plan for the municipality, it is important that local officials are aware, as early as possible, of the scheduled date and times of meetings, deadlines, and key processes related to the preparation and adoption of the budget. A calendar establishing all key dates in the budget preparation should be developed.

REQUESTED ACTION

General Information

ATTACHMENT(S):

- 5.2 Anti-Fraud Policy
- 5.3 First Amendment Auditor Policy
- 5.4 Street Acceptance Policy
- 5.5 Capital/Fixed Asset Policy
- 5.6 Subdivision Speed Limit Standard
- 5.8 Urban Camping Ordinance
- 5.9 FY2025 Budget Schedule

**City of York
ANTI-FRUAD POLICY**

1. PURPOSE

- 1.1 This policy is intended to state the position of the City of York to “fraud”, as defined in this policy. It is to reinforce existing systems, policies, procedures, rules, and regulations of the City of York meant to deter, prevent, detect, react to and reduce the impact of fraud.
- 1.2 The purpose and spirit of this document is to confirm that the City of York supports and fosters a culture of zero tolerance to fraud in all of its manifestations. The City of York recognizes the fact that acts of fraud by its employees seriously deplete the scarce resources available to meet the mandates of the government’s delivery system. The City of York is aware that the effects of fraud extend beyond the loss of cash and other assets, which has severe negative repercussions on the ability of the City of York to achieve its objectives.
- 1.3 Although it is difficult to quantify, such acts, if left unchecked, seriously impact.
 - The quality and effectiveness of service delivery;
 - The strength of business relationships with customers, suppliers and the public;
 - Employee morale; and
 - Reputation and image of the City of York

2. SCOPE OF THE POLICY

- 2.1 This policy applies to all employees of the City of York and relates to all attempts and incidents of fraud impacting or having the potential to impact the City of York
- 2.2 Actions constituting fraud refer to, but are not limited to:
 - Any dishonest, fraudulent or corrupt act;
 - Theft of funds, supplies or other assets;
 - Maladministration or financial misconduct in handling or reporting of money, financial transactions or other assets;
 - Making a profit from insider knowledge;
 - Disclosing confidential or proprietary information to outside parties for financial or other advantage;
 - Requesting or accepting anything of financial value (free of charge) from contractors, suppliers, or other persons providing goods or services to the City of York
 - Irregular destruction, removal, or abuse of records and equipment;
 - Deliberately omitting or refusing to report or act upon reports of any such irregular or dishonest conduct;
 - Bribery, blackmail, secret commissions and/or extortion involving a City of York employee in the performance of her or his duties;
 - Abuse of City of York facilities;
 - Any similar or related irregularity

3. POLICY

**City of York
ANTI-FRUAD POLICY**

- 3.1 The Policy of the **City of York** is Zero Tolerance to fraud. In addition, all fraud will be investigated and followed up by the application of all remedies available within the full extent of the law as well as the application of appropriate prevention and detection controls. These prevention controls include the existing financial and other controls and checking mechanisms as prescribed in the systems, policies, procedures, rules, and regulations of the **City of York**.
- 3.2 It is the responsibility of all employees to report all incidents of fraud to his/her supervisor. All employees are responsible for the prevention and detection of fraud.

4. REPORTING PROCEDURES AND RESOLUTION OF REPORTED INCIDENTS

- 4.1 It is the responsibility of all employees to immediately report all allegations or incident of fraud to their immediate superior or, if the employee has reason to believe that, his/her immediate supervisor is involved, to the City Manager. All department heads must report all incidents and allegations of fraud to the City Manager. If the City Manager is involved in any allegations then the Mayor and City Council will then initiate an investigation into the matter.
- 4.2 Should members of the public wish to report allegations of fraud anonymously; they can contact any the City of York Police Department. The City of York encourages members of the public who suspect fraud to contact the City Manager or Mayor and City Council.
- 4.3 Any fraud committed by employees of the City of York will be pursued by thorough investigation and to the full extent of the law, including consideration of the following:
 - Taking disciplinary action in accordance with the City of York Personnel Policy handbook;
 - Instituting recovery of financial losses, including formal civil action;
 - Initiating criminal prosecution by reporting the matter to the appropriate law enforcement agency; and,
 - Any other appropriate and legal remedy available.
- 4.4 The Grievance Committee will, upon receiving a report fraud from an external person, write to the person (unless the report has been made anonymously) making the report:
 - Acknowledging that the concern has been received: and
 - Informing her or him whether any further investigations will take place, and if not, why.
 - Subject to legal constraints, information about outcomes of any investigation will be disseminated on a “need to know” basis.
- 4.5 All information relating to fraud that is received and investigated will be treated confidentially. The progression of investigations will be handled in a confidential manner and will not be disclosed or discussed with any person(s) other than those

**City of York
ANTI-FRUAD POLICY**

who have a legitimate right to such information. This is important to avoid harming the reputations of suspected persons who are subsequently found innocent of wrongful conduct. No Person is authorized to supply information regarding allegations or incidents of fraud to the media without the express permission of the City Manager.

- 4.6 No person will suffer any penalty or retribution for reporting in good faith any suspected or actual incident of fraud. Managers should discourage employees or other parties from making allegations which are false and made with malicious intentions. Where such allegations are discovered, the person making the allegations will be subjected to disciplinary actions.

5. PREVENTION CONTROL AND DETECTION METHODS

- 5.1 When incidents of fraud are reported, department heads are required to immediately review, and where possible, improve the effectiveness of the controls which have been breached in order to prevent similar irregularities from taking place in the future.
- 5.2 It is the responsibility of the Administration and/or Human Resources to ensure that all employees are made aware of and receive appropriate training and education regarding this policy.



Policy Regarding Public Access to and Video and Audio Recording on Municipality Property

PURPOSE

The York City Council (the “Council”) of the City of York (the “Municipality”) is committed to protecting the rights of citizens under the First Amendment of the United States Constitution, while implementing policies and procedures that protect the health, safety, welfare, and personal privacy of the Municipality’s employees and the general public who do business with or use the services of the Municipality. This policy (this “Policy”) is intended to delineate those portions of the Municipality Property (as defined herein) that are accessible to and observable by the general public from those portions that are accessible on a limited basis, establish rules of conduct that are applicable to all Municipality Property, and specify procedures for Municipality employees who encounter those who wish to access Municipality Property for observational purposes.

DEFINITIONS

“Limited Access Area” means any designated area on Municipality Property that is not generally open to or occupied by the public; is open to or occupied by the public on only a limited, as-needed, or by-invitation basis; or is in an area generally open to or occupied by the public in close proximity to where private third parties conduct business with Municipality employees. Limited Access Areas may be designated by doors, physical barriers, building design features, signage, reception desks or stations, stanchions, ropes, fencing, bollards, or other visible indications. The lack of visible indications shall not prevent the Municipality from considering or treating an area as a Limited Access Area. The Municipality shall retain the right to verbally instruct third parties that an area is a Limited Access Area. Without limiting the generality of the foregoing, Limited Access Areas include but are not limited to the following:

- a) Employee offices.
- b) Employee workspaces including copy rooms, mailrooms, and break areas.
- c) Employee parking lots, storage areas, access points, or other outside areas marked for use by Municipality employees or vehicles only.
- d) Areas in close proximity to places, stations, desks, counters, or teller windows at which private third parties conduct business with Municipality employees.
- e) Hallways, staircases, restrooms, elevators, and other areas by purpose or function restricted to limited or transitory occupancy or providing access solely to other Limited Access Areas.
- f) Maintenance, storage, and warehousing facilities.

- g) Public works and public safety buildings, except for any designated waiting or reception areas therein.
- h) Water, sewer, and other public utility facilities.

“Municipality Official” means, for purposes of this policy:

- a) Any Municipality law enforcement officer.
- b) Any person providing security services in any Municipality Property pursuant to contract with the Municipality or with any person, firm, or corporation managing a Municipality Property on the Municipality’s behalf.
- c) With respect to any building, facility, area, or space assigned to a Municipality department, division, or agency, the director or manager of such department, division, or agency, or any person that such official specifically designates in writing.
- d) The Municipality, City Manager, or any person that such officials specifically designate in writing.

“Municipality Property” means any real property owned by the Municipality or in which the Municipality has a property interest or property management responsibility.

“Public Area” means any area on Municipality Property that is generally open to general public access and occupancy that is not otherwise designated as a Limited Access Area.

“Rules of Conduct” means the specific guidelines set forth in this policy.

RULES OF CONDUCT ON MUNICIPALITY PROPERTY

To maintain an environment that promotes orderly administrative and business operations, and to take reasonable and prudent actions to protect the health, welfare, safety, and personal privacy of all persons at Municipality Property, the Rules of Conduct in this section apply and are to be enforced at all Municipality Property except where specific rules of conduct or prohibitions have been adopted for designated Municipality Property.

Rules of Conduct Applicable to All Municipality Property. The following Rules of Conduct shall apply at all Municipality Property, including both Public Areas and Limited Access Areas:

- a) No person shall enter, attempt to enter, or remain in any areas of Municipality Property for any purpose other than to conduct legitimate business with Municipality offices or tenants located at Municipality Property, to enjoy publicly accessible amenities in Public Areas, to lawfully assemble for social or public interaction in Public Areas specifically designated for such assembly, or to exercise other constitutionally protected rights. The appropriate Municipality Officials may adopt specific policies with respect to Municipality Property under their custody and control to manage conditions for use of such Municipality Property including without limitation to establish hours and terms of use, reservation protocols, use and user priority, and fees for use.

- b) No person shall engage in any activity on Municipality Property that would constitute a violation of federal, state, or local law or regulation.
- c) No person shall engage in activity that disrupts or interferes with the normal operation or administration of Municipality business at Municipality Property, lawful use by Municipality employees and authorized users at Municipality Property, or Municipality-permitted activities.
- d) No person shall stalk, harass, threaten, intimidate, or otherwise compromise the wellbeing and safety of Municipality employees or private third parties lawfully using Municipality Property. Photography, audio recording, or video recording does not, in and of itself, violate this Rule of Conduct. Likewise, conduct that would otherwise violate this Rule of Conduct shall not be permitted merely because the conduct involves photography, audio recording, or video recording.
- e) No person shall interfere or obstruct the free passage of Municipality employees or authorized third parties in or on Municipality Property, including without limitation by standing in, blocking access to, or occupying areas for purposes of photography, audio recording, or video recording.
- f) No person shall photograph, audio record, or video record in such a manner that would allow capture of, access to, or disclosure of private, personal, confidential, sensitive, or privileged information of private third parties. The Municipality may enforce this Rule of Conduct by imposing minimum standing or separation distances from areas, stations, desks, counters, or teller windows at which private third parties conduct business with Municipality employees.

Limited Access Areas The following Rules of Conduct shall apply at all Limited Access Areas:

- a) Limited Access Areas shall be accessible only to the following: (i) employees, elected officials, and appointed officials of the Municipality; and (ii) private parties but only on a limited, as-needed, or by-invitation basis, to include those private parties accessing a Limited Access Area for the express purpose of conducting business with Municipality employees.
- b) Photography, audio recording, and video recording is prohibited in Limited Access Areas, except as follows: (i) any Municipality Official may authorize audio or video recording or photography in Limited Access Areas, for good cause shown, with the consent of all parties to be recorded or photographed, provided that any Municipality Official may impose appropriate and reasonable conditions on the recording or photography to prevent the unauthorized disclosure of confidential information; and (ii) audio and video recording and photography may be permitted in Limited Access Areas when specifically authorized by applicable law or agreements.
- c) No person shall photograph, audio record, or video record any private third party lawfully entering into, using, or occupying a Limited Access Area without the express consent of such third party.

EXCLUSION

If a person violates these Rules of Conduct while in or upon Municipality Property, any Municipality Official may eject and direct such person to leave Municipality Property for a period of up to 24 hours. It shall not be necessary for such Municipality Official to allege any crime or other violation of applicable law other than these Rules of Conduct in order to support such notice of exclusion; *provided* that violation of such notice of exclusion may be deemed a trespass under applicable law. The notice of exclusion shall be in writing, given to the person excluded and signed by the Municipality Official. It shall specify the dates and places of exclusion and shall contain a warning of consequences for failure to comply with the notice of exclusion.

SECURITY PROCEDURES

- a) Any person may photograph, film, or record audio of any Public Area. Any such activity should be reported to a Municipality Official, preferably a law enforcement officer if possible.
- b) Municipality employees should refrain from engaging with photographers and videographers wherever possible. Municipality employees should monitor photographers or videographers on Municipality Property, but should refrain from engaging them unless they violate any Rule of Conduct. In the event that engagement is necessary, every effort should be made to respond calmly without escalating the encounter.
- c) A Municipality employee who does not wish to be photographed or recorded may retire to a Limited Access Area.
- d) Municipality employees are not required to respond to questions or demands from any photographer or videographer, and should refrain from doing so if possible.
- e) Municipality employees may invite a private third party conducting business with the Municipality and who do not wish to be photographed or filmed to retire to a more private Limited Access Area in order to complete any business or transaction.
- f) Municipality law enforcement officers may approach photographers and videographers upon a complaint from a member of the public or Municipality employees that the activity is suspicious or based upon their own observation that the activity is suspicious or inconsistent with this Policy. This Policy neither limits nor expands the authority of Municipality law enforcement officers to initiate and pursue investigations, to perform pat downs or frisks based upon reasonable suspicion, or to conduct searches based upon probable cause in accordance with legal authority. Photography, audio recording, or video recording does not, in and of itself, rise to the level of reasonable suspicion or probable cause.

STREET ACCEPTANCE POLICY



Adopted Month 2023

City of York



STREET ACCEPTANCE POLICY

The City of York may consider the acceptance of existing streets/roads upon the written request.

The City reserves the right to refuse acceptance of maintenance of streets which, in its judgment, require extensive repair work to bring the street(s) up to a satisfactory condition.

This policy will go into effect immediately upon adoption by the City Council.

HOA/Developer owned and Newly Constructed Streets Platted for City Maintenance

To initiate the acceptance procedure for HOA/Developer owned streets or newly constructed streets platted for City maintenance, the following information shall be submitted to the City Manager and/or designee:

1. A letter accompanied with the City's approved application for "New Street Maintenance Acceptance" for each street completed to the City Manager requesting that the City consider accepting subject streets for public maintenance. At least 95% of the parcels have been developed, and the streets shall not have had the final layer of asphalt laid for more than two (3) years.
2. One (1) copy of the recorded map(s) of the subject street(s).
3. One (1) Pavement Core Results Report will be required if deemed necessary by the City Manager or designee. If report submittal is a requirement, then the report will include a cover letter, table of contents, project scope, data collection methodology, description of project limits, a map at a legible scale of the project limits containing street names, lengths, widths, and the location of the pavement core samples. The report will also include a core results table with street name, applicable SCOT Specification Standard Typical Section, core result material and thickness (in inches), and a statement of whether the core result meets the current minimum design standard per the SCOT Typical Section. Pavement core samples shall be taken at 500' intervals (minimum of 1 core per street block) and no more than 4.0' from the centerline of the road. This report must be signed, dated, and stamped by a South Carolina registered professional engineer. The City may acquire its own pavement core samples as a quality control measure.

Once the Pavement Core Results Report has been submitted, an inspection shall be conducted by the City of the subject street(s). The City shall notify the owning entity of all construction deficiencies required to be corrected. Upon satisfactory completion of corrective measures, re-inspection, and approval by the City Manager or designee, the City Council shall accept the subject street(s) for maintenance at a City Council Meeting.

4. A surety bond or letter of credit equal to 25% of a licensed professional engineer's certified cost estimate or total construction value and 36-month warranty guarantee issued by the developer/contractor shall be submitted in writing (company letterhead) stating that any deficiencies or failures noticed by residents or by City staff during this period shall be remediated by the Contractor at no cost to the HOA or the City.

STREET ACCEPTANCE POLICY



CITY OF YORK STREET ACCEPTANCE POLICY

From time to time, York City Council may consider requests from property owners to accept one or more privately owned streets into the City of York Street Maintenance System for public ownership and maintenance. For the purpose of this policy, a “street” shall include all public infrastructure located within a public right-of-way, including, but not limited to, travel lanes, curb and gutter, drainage, and sidewalks, as well as planting strips, planted medians and street trees, which may be subject to a maintenance agreement between the City and the applicant.

Notwithstanding any provision of this Street Acceptance Policy, York City Council shall have at their sole discretion the authority to accept, not accept, or to accept subject to a maintenance agreement any street or portion thereof.

Eligibility

To be eligible for acceptance into the City of York Street Maintenance System, all streets must meet the following requirements:

- All streets offered for acceptance must have been platted in accordance with the City of York Subdivision Ordinance and Zoning Ordinance;
- All streets offered for acceptance must be designated on the record plat as public rights-of-way;
- All streets offered for acceptance must have been designed, installed and tested in accordance with the City of York's street design, installation and testing requirements (or any alternative requirements approved by the Utilities Director);
- One hundred percent (100%) of all required infrastructure must be installed by the applicant before an application for acceptance will be considered;
- All infrastructure shall be reviewed and inspected by the York Utilities Department, Planning Department and Public Works Department, prior to City Council review and acceptance; and
- The applicant shall provide a Standard or Extended Maintenance Liability Period based upon the street classification. During the Maintenance Liability Period, the applicant shall be responsible for all maintenance costs, and shall correct any defects and/or discrepancies prior to final inspection.

Acceptance Procedures

All requests to dedicate one or more privately owned streets to the City of York for public ownership and maintenance shall be subject to the following application and acceptance procedures outlined below:

- **Application.** The property owner (or his designee) shall submit a written application for street acceptance to the City Planning Department. All applications for street acceptance shall be accompanied by the following items:
 - A description of all streets offered for acceptance, including street names, beginning and ending points, and street lengths;
 - A statement from the applicant and applicant's engineer certifying that all streets contained within the application meet the eligibility requirements for acceptance, as established by York City Council;
 - A statement from the applicant acknowledging the City's Street Acceptance Policy, and agreeing to correct any defects or deficiencies during the Maintenance Liability Period;
 - A property plat or map, minimum 11" by 17", showing all street locations and right-of-way widths (Note: Only streets which are dedicated as public rights-of-way may be offered for acceptance);
 - One (1) full set of as-built drawings for all streets contained within the application;
 - Copies of all testing and inspection reports;
 - Copies of all easements, encroachment permits and maintenance agreements within the proposed public rights-of-way;
 - Engineer's cost estimate or paid invoice(s) showing the total construction value (including labor) of all infrastructure located within any rights-of-way proposed for public acceptance; and
 - A surety bond or letter of credit equal to 25% of the engineer's cost estimate or total construction value (including labor), to be held for the duration of the Maintenance Liability Period.
- **Inspection.** All applications for street acceptance shall be reviewed and inspected by the City Street and Drainage Inspector, Utilities Director, Planning Director and Public Works Director, prior to consideration by City Council. Only streets which have been deemed eligible for acceptance will be submitted to City Council for review and approval.

- *City Council Approval.* Once the streets have been deemed eligible for acceptance, City Council shall consider the application for street acceptance during its next regularly scheduled meeting. Applications for street acceptance must be approved by a resolution of City Council. Immediately following the City Council meeting, the Municipal Clerk shall certify City Council's action. In the event City Council votes to approve the request, the street(s) shall be deemed accepted into the City of York Street Maintenance System, and the Maintenance Liability Period shall commence immediately.
- *Maintenance Liability Period.* A Maintenance Liability Period shall commence immediately following a positive vote by City Council to accept the street(s) into the City of York Street Maintenance System. During the Maintenance Liability Period, the applicant shall bear all costs related to maintaining and repairing all street(s) contained within the application and shall correct any defects or discrepancies that arise during the warranty period. When required, a surety bond or letter of credit equal to 25% of the engineer's cost estimate or total construction value (including labor) shall be provided by the applicant and held by the City for the duration of the Maintenance Liability Period, plus ninety (90) days if necessary. In the event the applicant fails to make the required repairs during the Maintenance Liability Period, the bond or letter of credit will be drawn down by the City in order to complete the repairs, and any additional costs in excess of the bond or letter of credit amount, if required, will be the responsibility of the applicant. The required Maintenance Liability Period for all streets accepted by the City shall be as follows:
 - *Standard Maintenance Liability Period.* All streets that are wholly contained within a subdivision (or a phase within a subdivision) and which do not serve as the primary means of access to one or more unfinished or undeveloped phases within the same subdivision, shall have a Thirty Six (36) month Standard Maintenance Liability Period following acceptance by City Council. Notwithstanding the previous sentence, any street which was approved and recorded prior to the effective date of this policy shall have a Thirty Six (36) month Standard Maintenance Liability Period following acceptance by City Council.
 - *Extended Maintenance Liability Period.* Major streets or roads serving two or more subdivisions, or which provide the primary means of access to one or more unfinished or undeveloped phases of a single subdivision, may require an Extended Maintenance Liability Period, as recommended by the Planning Director. The Extended Maintenance Liability Period shall be for a minimum of twenty-four (24) months unless otherwise specified by the Planning Director or Utilities Director.
- *Final Inspection.* Upon completion of the Maintenance Liability Period, the applicant shall submit a request to the Utilities Director for a final inspection of all streets contained within the original application. This request must be submitted no earlier than thirty (30) days prior to the expiration of the Maintenance Liability Period, and no more than thirty (30) days after its expiration. The Utilities Director shall inspect all streets within five (5) business days of receiving the request and shall provide a report of his findings to the applicant. If all streets are found to be free of any defects or discrepancies, the inspection shall be approved, and the Utilities Director shall send a written notification releasing the applicant from any further maintenance liability. If the inspection is not approved, the Utilities Director shall provide written notification to the application of any defects or discrepancies which must be repaired or corrected prior to final approval.
- *Cure Period.* If, during the final inspection, the Utilities Director identifies any defects or discrepancies, the applicant shall have sixty (60) days from the date of the final inspection in which to repair or replace any such defects or discrepancies. In the event the applicant fails to make the

required repairs during the cure period, the bond or letter of credit (when required) will be drawn down by the City in order to complete the repairs, and any additional costs in excess of the bond or letter of credit amount, if required, will be the responsibility of the applicant.

- **Final Re-Inspection and Release of Liability.** Upon completing any necessary repairs, the applicant shall submit a request to the Utilities Director for a final re-inspection. The Utilities Director shall inspect all streets within five (5) business days of receiving the request and shall provide a written report of his findings to the applicant. Once all streets have been found to be free of any defects or discrepancies, the inspection shall be approved, and the Utilities Director shall send a written notification releasing the applicant from any further maintenance liability.

Completed applications for street acceptance, and all supporting materials, shall be submitted in writing to the following address for review and processing:

City of York
Attn: Planning Department
P.O. Box 500
York, SC 29745



APPLICATION FOR STREET ACCEPTANCE

This application may be completed by any property owner seeking to dedicate one or more privately owned streets to the City of York for public ownership and maintenance. For the purpose of this application, a "street" shall include all public infrastructure located within a public right-of-way, including, but not limited to, travel lanes, curb and gutter, drainage and sidewalks, as well as planting strips, planted medians and street trees, which may be subject to a maintenance agreement between the City and the applicant.

Only streets which have been platted pursuant to the City's Subdivision and Zoning Ordinances, and designed, installed and tested in accordance with the City of York's design, installation and testing requirements (or any alternative requirements approved by the Utilities Director), shall be eligible for dedication and acceptance.

All applications for street acceptance must include the following items:

- Signed and completed application for street acceptance;
- Property plat or map, minimum 11" by 17", showing all street locations and right-of-way widths
(Note: Only streets which are dedicated as public rights-of-way may be offered for acceptance);
- One (1) full set of as-built drawings for all streets contained within the application;
- A one-time street inspection fee of \$2.00 per linear foot (*unless exempt*);
- Copies of all testing and inspection reports;
- Copies of all easements, encroachment permits and maintenance agreements within the proposed public rights-of-way;
- Engineer's cost estimate or paid invoice(s) showing the total construction value (including labor) of all infrastructure located within any rights-of-way proposed for public acceptance; and
- A surety bond or letter of credit equal to 25% of the engineer's cost estimate or total construction value, to be held for the duration of the Maintenance Liability Period, plus ninety (90) days (*unless exempt*).

The enclosed application form and all supporting materials may be sent to the following address:

City of York
Attn: Planning Department
P.O. Box 500
York, SC 29745



APPLICATION FOR STREET ACCEPTANCE

Property Owner Name	
Property Owner Address	
Primary Contact Name/Title	
Primary Contact Phone	
Primary Contact Email	
Subdivision -- <i>If Applicable</i>	
Phase(s) -- <i>If Applicable</i>	

The property owner identified above hereby applies to the York City Council for acceptance of the following streets into the City of York Street Maintenance System. All streets must be clearly identified by name, beginning and ending point, and street length, in the space provided below. Portions of streets must be clearly delineated by dimensions and/or landmarks. Please include a map or plat of all streets covered by this application. Attach additional sheets, if necessary.

APPLICANT CERTIFICATION

By submitting this application, I, on behalf of the above-named property owner, do hereby certify the following to be true and accurate:

1. I am duly authorized to sign this application on behalf of the property owner, and to bind the property owner to the requirements of the City of York Street Acceptance Policy; and
2. One hundred percent (100%) of the required public infrastructure and at least ninety-five percent (95%) of all lots within the area covered by this application have been built out and completed.

Furthermore, I, on behalf of the above-named property owner, do hereby agree to the following procedures and requirements, as outlined in the City of York Street Acceptance Policy:

1. All applications for street acceptance shall be reviewed and inspected by the City Street and Drainage Inspector, Utilities Director, Planning Director and Public Works Director, to determine eligibility prior to consideration by City Council.
2. All applications for street acceptance are subject to review and approval by York City Council;
3. All streets accepted into the City of York Maintenance System shall be subject to a Standard Maintenance Liability Period (36 months) or an Extended Liability Period (minimum 24 months), as determined by the Planning Director. During the Maintenance Liability Period, the applicant shall bear all costs related to maintaining and repairing all street(s) contained within this application and shall correct any defects or discrepancies that arise during the warranty period. Unless exempt, a surety bond or letter of credit equal to 25% of the engineer's cost estimate or total construction value (including labor) shall be provided by the applicant and held by the City for the duration of the Maintenance Liability Period, plus ninety (90) days. In the event the applicant fails to make the required repairs during the Maintenance Liability Period, the bond or letter of credit will be drawn down by the City in order to complete the repairs, and any additional costs in excess of the bond or letter of credit amount, if required, will be the responsibility of the applicant.
4. Upon completion of the Maintenance Liability Period, the applicant shall submit a request to the Utilities Director for a final inspection. Any defects or discrepancies identified by the Utilities Director must be repaired by the applicant within sixty (60) days from the date of inspection. In the event the applicant fails to make the required repairs during the cure period, the bond or letter of credit will be drawn down by the City in order to complete the repairs, and any additional costs in excess of the bond or letter of credit amount, if required, will be the responsibility of the applicant.
5. Upon completing any necessary repairs, the applicant shall submit a request to the Utilities Director for a final re-inspection. The Utilities Director shall inspect all streets within five (5) business days of receiving the request and shall provide a written report of his findings to the applicant. Once all streets have been found to be free of any defects or discrepancies, the inspection shall be approved, and the Utilities Director shall send a written notification releasing the applicant from any further maintenance liability.

Applicant Signature		Date	
Name (Printed)		Title	

APPLICANT'S ENGINEER CERTIFICATION

I certify that all streets contained within this application have been designed, installed and tested in accordance with the City of York's design, installation and testing requirements, or any alternative requirements approved by the Utilities Director.

Affix P.E. Seal Here

Engineer Signature		
Name (Printed)		
P.E. Number		
P.E. State		
Date		

This section to be completed by the City Street & Drainage Inspector

INSPECTOR CERTIFICATION

I certify that all streets contained within this application were inspected by me on _____, 20____, and were found to be free of any defects and/or discrepancies. I further certify that these streets are eligible for acceptance into the City of York Street Maintenance System, pursuant to the City of York's Subdivision Ordinance and Street Acceptance Policy, unless otherwise noted below.

Inspector Signature		Date	
Name (Printed)		Title	

Notes/Conditions:	
--------------------------	--

This section to be completed by Utilities, Planning & Public Works Departments

UTILITIES DEPARTMENT ENDORSEMENT

Comments			
Recommendations			
Signature		Date	
Name (Printed)		Title	Utilities Director

PLANNING DEPARTMENT ENDORSEMENT

Comments	Subdivision plat recorded at Plat Book(s)/Page(s) _____ Bond/LOC # _____ Expiration: _____ Does property meet 95% build out requirement? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Recommendations			
Signature		Date	
Name (Printed)		Title	Planning Director

PUBLIC WORKS DEPARTMENT ENDORSEMENT

Comments			
Recommendations			
Signature		Date	
Name (Printed)		Title	Public Works Director

This section to be completed by the City Clerk following City Council action

CERTIFICATION OF COUNCIL ACTION

I certify that the York City Council, during a duly called meeting on _____, 20____, voted to ACCEPT / NOT ACCEPT into the City of York Street Maintenance System, all the streets contained within this application, unless otherwise noted below.

Pursuant to the City of York Street Acceptance Policy, the Maintenance Liability Period shall commence on _____, 20____, and shall expire on _____, 20____, unless otherwise noted below.

Signature		Date	
Name (Printed)		Title	City Clerk

Notes/Conditions:	
--------------------------	--

Statutory Reference

SECTION 6-29-1170. Approval of plan or plat not acceptance of dedication of land.

The approval of the land development plan or subdivision plat may not be deemed to automatically constitute or effect an acceptance by the municipality or the county or the public of the dedication of any street, easement, or other ground shown upon the plat. **Public acceptance of the lands must be by action of the governing body customary to these transactions.**

S.C. Code of Laws, 1976, as amended.

This section to be completed by the Applicant upon completion of the Maintenance Liability Period

APPLICATION FOR FINAL INSPECTION

I/We hereby request that the Utilities Director conduct a final inspection of all streets identified within this application. I certify that the Maintenance Liability Period has elapsed, or will elapse within the next thirty (30) days, and at least ninety-five percent (95%) of all lots within the area covered by this application have been built out and completed.

Further, following the results of the Utilities Director's inspection, I/We agree to repair or replace any defects or discrepancies within sixty (60) days of the final inspection date. I/We understand that failure to make the required repairs within sixty (60) days will result in a drawdown of the applicant's bond or letter of credit.

Applicant Signature		Date	
Name (Printed)		Title	

Applicant Notes:	
-------------------------	--

This section to be completed by the Utilities Director following final inspection / re-inspection

FINAL INSPECTION REPORT

I certify that a final inspection for all streets contained within this application was completed by me on _____, 20_____. Below is a summary of my findings:

Inspection Results	<input type="checkbox"/> Final Inspection Approved (<i>No Repairs Required</i>)
	<input type="checkbox"/> Final Inspection Not Approved (<i>Repairs Required</i>)
	<u>Defects/Discrepancies (If Any):</u>

It is understood that the applicant will repair any defects or discrepancies, if any are noted above, within ninety (90) days from the date of this inspection report. Upon completion of these repairs, the applicant shall request a final re-inspection from the Utilities Director. Failure to make the required repairs within ninety (90) days will result in a drawdown of the applicant's bond or letter of credit.

Signature		Date	
Name (Printed)		Title	Utilities Director

FINAL RE-INSPECTION REPORT

I certify that a final re-inspection for all streets contained within this application was completed by me on _____, 20___. At such time, all streets were found to be free of any defects or discrepancies. The re-inspection is hereby approved, and the applicant is hereby released from any further maintenance liability for all streets contained within this application, unless otherwise noted below.

Signature		Date	
Name (Printed)		Title	Utilities Director

Notes/Conditions:	
-------------------	--



ADMINISTRATIVE POLICY & PROCEDURES

FIXED ASSETS POLICIES & PROCEDURES

Table of Contents

Goal Statement	2
Objectives.....	2
Fixed Assets Definitions	3
Responsibilities	4
Fixed Asset Policies	5
Procedures.....	7
Adding Fixed Assets.....	8
Tagging Fixed Assets.....	9
Inventory and Disposal.....	10
Attachment A – Depreciation Schedule (Estimated Useful Life)	11

FIXED ASSETS POLICIES & PROCEDURES

Goal Statement

The City of York fixed assets policy and procedures are designed to provide financial and management information regarding fixed assets that facilitate valuation and financial reporting; allow management to make effective and accurate fixed asset acquisition, deployment, replacement, and maintenance decisions; and assure that these valuable items are properly safeguarded and protected.

Objectives

1. **Inventory information** – To provide a complete inventory record of all fixed assets owned by the City of York, including the name of the item, cost of the item, date and source of acquisition, serial # (if appropriate), City ID, location, custody, accumulated depreciation and current value of the item.
2. **Verification of inventory** – To verify the completeness and accuracy of written inventory records through periodic physical inventories.
3. **Internal control** - To assure that the City's fixed assets are continuously identified as belonging to the City of Lilburn and are not subject to loss or theft.
4. **Records maintenance** - To establish procedures that assure that fixed assets records are kept current when fixed assets are purchased, constructed, transferred, deactivated, or deleted.
5. **Accountability** - To establish accountability for fixed assets, including responsibilities and procedures to protect and secure fixed assets from neglect, abuse, or theft.
6. **Financial reporting compliance** - To comply with all accounting standards pertaining to fixed assets, and in particular with the Government Accounting Standard Board's GASB 34 reporting model which requires that depreciation be recorded for all fixed assets, including general infrastructure assets, in the government-wide financial statements. To facilitate determination of the total value and accumulated depreciation for all capital assets.
7. **Misuse avoidance** - To assure that City fixed assets are used only for governmental purposes, and not misused for personal purposes.
8. **Proper disposal of fixed assets** – To provide for a systematic and orderly process for the disposal of fixed assets no longer needed.
9. **Insurance protection** - To provide information needed for protecting the City's financial interest in fixed assets through purchased insurance.

10. **Equipment maintenance** - To provide information useful to the establishment of maintenance schedules for vehicles or other types of equipment.
11. **Asset deployment effectiveness** - To provide information to assist management in assigning, tracking, or reassigning equipment where it can be most productively utilized.
12. **Budget decision tool** - To provide data of benefit to budget decision-makers who must make judgments regarding funding of new or replacement fixed assets.

Fixed Assets Definitions

Capital Asset – A capital asset is piece of equipment, or investment in general infrastructure, which has an expected useful life of greater than two years and has a value of at least:

- a. Machinery, equipment, and vehicles – \$5,000 with the exceptions listed immediately below.
- b. Roads /roadways - \$50,000 at a specific location
- c. Bridges /culverts - \$50,000
- d. Parking lots - \$50,000
- e. Traffic signals - \$30,000
- f. Storm drains - \$25,000 at a specific location
- g. Sidewalks /bike paths - \$25,000 at a specific location
- h. Land – regardless of value

The Governmental Accounting Standards Board (“GASB”) has issued Statement 34 directing and specifying the reporting of such assets. The value of such assets is reported in the Annual Financial Report.

Capitalization – Capitalization is the recording of annual depreciation for capital assets. Capitalization is determined by two factors:

1. the cost of the capital asset
2. the useful life of the capital asset.

Infrastructure Assets – Infrastructure assets are the public domain transportation and public works systems of the City, including streets and alleys, sidewalks and curbing, bridges, street lighting, traffic control signals, storm water drainage systems, etc. Until GASB 34, local governments had not been required to track and report infrastructure assets. Under GASB 34, cities such as York are required to report and capitalize (record depreciation for) infrastructure assets, but are **not** required to do this on a retroactive basis.

Major Fixed Asset Classes

- Land and Land Improvements*
- Buildings and Building Improvements*
- Infrastructure*
- Machinery and Equipment*
- Vehicles*

Responsibilities

Administration

1. The City Manager shall have the authority to make administrative and operational changes to this policy, but any major policy changes shall require approval by Mayor and City Council.
2. The Finance Department under the supervision of the Finance Director, is responsible for all aspects of maintaining fixed assets inventory and accounting records, including depreciation of capital assets along with any support provided by the City's auditors.
3. The Finance Department is also responsible for the supervision of tagging new fixed asset purchases (with departmental cooperation in locating the fixed assets).
4. The Finance Department along with department heads coordinates and oversees the annual physical inventory of fixed assets.
5. The Finance Department provides fixed assets reports to City Council, the City Manager, departments and auditors as appropriate to serve their oversight and management needs, and to assist in decision-making.

Department Heads

1. Department heads are responsible for maintaining, safeguarding, and securing all fixed assets owned or located within their department.
2. Department heads shall identify those fixed assets that may require routine or preventive maintenance and shall establish internal policies and procedures to address same.
3. Department heads shall ensure that the department's fixed assets are used strictly for governmental purposes in accordance with this policy, and that their employees are aware of the prohibition on personal use of the City's fixed assets.
4. Department heads shall notify the Finance Department if any fixed assets are either transferred to another department, retired, destroyed, stolen or in any other manner no longer in active use by the department.
5. Department heads shall cooperate with the Finance Department in ensuring the tagging of fixed assets and conducting annual physical inventories.

Policies

1. Record Keeping of Fixed Assets

The City of York shall maintain continuously up-to-date records of all fixed assets using its BS&A accounting software. These records shall be continuously updated whenever fixed assets are acquired, transferred, or retired.

2. Valuation and Depreciation Accounting for Capital Assets

Capital assets shall be entered into the City's fixed assets /accounting records at purchase price or, for any donated items, fair market value at the date of donation. ("Donated items" shall be broadly defined to include any fixed assets owned by the City that were not purchased by the City.) All capital assets owned by the City shall be depreciated over their expected useful life. Depreciation expense shall be entered into the accounting records and government-wide financial statements of the City. The City shall use the straight-line method of depreciation and shall normally **not** assume a salvage value for the asset at the end of the depreciation period. The City shall maintain a Depreciation Schedule (Estimated Useful Life) that provides the time for which each type of capital asset is depreciated. This Depreciation Schedule is found at the end of this Policy and Procedures as Attachment A. Additional information regarding capitalization and depreciation may be found in the Procedures section below.

3. Tagging of Fixed Assets

Certain fixed assets shall be tagged with a pre-printed, consecutively numbered tag, indicating ownership by the City of York, as part of the system to identify, track, provide accountability, and safeguard the fixed asset.

Assets to be tagged include all movable Capital Assets deemed to have value and portability, warranting an added layer of security. Tags should be placed to be easily readable and accessible, without detracting from appearance. A location near a manufacturer's ID plate is preferable, when applicable. The tagging of fixed assets shall comprise part of the City's internal control system. All numerical tags shall be always accounted for, including tags on fixed assets; lost, damaged, or destroyed tags; and tags held in inventory for new purchases.

4. Accountability for Fixed Assets

Department heads are accountable for the condition, safety, security and appropriate use of all fixed assets owned by or assigned to the department. They are responsible for establishing internal departmental rules and procedures to assure that this accountability responsibility is met.

5. Annual Physical Inventory

A physical inventory shall be conducted annually to assure that actual fixed assets match records on the City's Fixed Assets Inventory list. Any major discrepancies should be compiled and reported to the City Manager.

6. Personal Use of Fixed Assets Prohibited

Personal use of any City of York fixed assets shall be considered a serious breach of the City's accountability to its citizens /taxpayers. City employees may not "borrow" City equipment for personal use. Any legitimate exceptions to this policy must be documented in writing and approved by the City Manager.

7. Accounting Policy – Distinction between Improvements and Repairs & Maintenance

Routine repairs and maintenance to existing fixed assets are considered operating expense, are not capitalized, and do not impact fixed asset records and valuation.

To be considered an improvement, the life of the fixed asset must be extended beyond the original, normal life. In this situation, the cost of the improved fixed asset is the combination of the original purchase cost and the improvements cost. The asset is capitalized from the original purchase date using the new estimated life.

8. Accounting Policy – Capitalization of Construction Projects

The full cost of a construction project is capitalized, including direct costs (such as labor and materials), indirect costs (such as architecture, engineering, and construction management), and ancillary costs if applicable (such as interest for construction financing). Until completion, the project is considered "construction in progress" and is not capitalized. Costs should be cumulatively updated during construction, and then transferred to the appropriate fixed asset account upon completion.

Procedures

Introduction to the City's Fixed Assets Software

The City of York utilizes the Fixed Assets module from BS&A accounting software. Many of the procedures below are written to coordinate with the features, options, and reports of this software.

The Fixed Assets Software interfaces with the General Ledger Software and may include all of the following information as appropriate:

- Asset ID
- Description
- Fund /Department
- Class (building, vehicle, infrastructure, etc., which can be customized to fit the City's needs)
- (Manufacturer's) Serial #
- Tag #
- Manufacturer
- (Manufacturer's) Model
- Notes /Comments
- Number in the Group (if the current asset represents a group of similar assets)
- Location Verified (last date that the location of the asset was verified)
- Infrastructure checkbox
- Asset Type (normal, summary, or detail)
- Primary Location
- Secondary Location
- Policy Name (name of the insurance policy that covers the asset)
- Policy Value (insurance value of asset)
- Replacement Value
- Method of Acquisition
- Date Acquired
- Original Cost
- Asset Control (fund & department codes)
- Vendor Code
- Invoice Number
- PO Number

Fixed assets listings can be reported in many ways to best suit the needs of the user.

- There are different selection methods of fixed asset information, including:
 1. By fund /department
 2. By class
 3. By asset ID
 4. By original cost
 5. By primary /secondary location
 6. By date range
 7. By customized combinations of the above
- Reports than can be sorted in the following sequences
 1. Fund
 2. ID
 3. Tag Number
 4. Location

Adding Fixed Assets

Adding fixed assets and updating information in the Fixed Assets module is the delegated responsibility of the Financial Department. Processing an invoice for the purchase of a fixed asset triggers this procedure. When fixed asset invoices are received for payment, a copy is made to provide the information necessary for initial data input of a new asset into the FA module. The Accounts Payable staff enters the acquisition information according to the FA module help screens, including a serial Tag # number that will match the tag affixed to the fixed asset. Depreciation information is entered for all capital assets. This procedure should be kept up to date on at least a monthly basis in order to promptly establish a record of ownership for the asset.

Exceptions and cross-checking:

1. Construction in Progress –
 - a. A construction in progress fixed asset should be added for projects under construction (buildings, infrastructure, etc.) at year-end. Cost information obtained from the appropriate project expense account(s) should be entered into fixed assets in conjunction with the year-end closing.
2. Cross-Check and Reconciliation to Accounting Records
 To avoid inadvertent omission of fixed assets acquisitions, it is necessary to cross-check fixed assets additions in the FA module to expense accounts in the General Fund and Capital Projects Fund accounts used for the acquisition of fixed assets. This can be done by using an FA module Auditor Report sorted by fund to cross-check against the information in the accounting system. The cross-check of fixed assets acquired during the prior fiscal year shall be completed no later than September 30 each year.

Tagging Fixed Assets

The Finance Department is also responsible for custody of City of York fixed asset tags and tagging of the assets. Any tags not affixed to a fixed asset, and tag records, shall be kept in a secure area.

The Finance Department must maintain a numerical inventory record of tags and be able to account for all of the tags in one of the following general categories:

1. Tag has been assigned and affixed to a particular fixed asset.
2. Tag had been assigned to a fixed asset that has been retired and deleted from the fixed assets inventory (it is desirable to remove the tag and return it to the Financial Assistant for retention when the asset is retired).
3. Internal serial number has been assigned but tag is not affixed due to the nature of the fixed asset (e.g. infrastructure or buildings). In this situation the tag is retained and kept with the tag records.
4. Tag has been damaged beyond use, removed, or lost. Situations can occur where a tag becomes separated from its asset and cannot be securely reattached. Such instances should be documented in the tag inventory record and the “Note /Comments” FA module field for the asset should be updated should it ever be necessary to assign a second tag to an item.

Upon acquisition of a new fixed asset, the Financial Department personally tags the item. The location of the fixed asset is determined, and the Financial Department updates the FA module with this information.

Transfer of Fixed Assets

There are any numbers of reasons why changes occur in the “location” of a fixed asset. The important thing to remember is that any such permanent changes can invalidate the accuracy of the FA module and can cause serious problems when it comes time to take the physical inventory. Therefore it is very important that the Finance Department is notified of all such changes.

Distribution of Fixed Assets Inventory Reports

The Financial Assistant shall distribute a fixed assets inventory report semi-annually to each department to assure departments continuously have current fixed assets information. One of these times shall be 2-4 weeks prior to the physical inventory, allowing the department to informally get organized for the inventory. Additional inventory reports may be made available to departments upon request.

Physical Inventory

A physical inventory of the City's fixed assets shall be conducted on an annual basis, in January, by the Finance Department. This is intended to immediately precede budget preparation. The procedure for the inventory is as follows:

1. The Financial Department shall provide each Department Head a copy of the department's fixed assets 2-4 weeks prior to the physical inventory as provided above.
2. The Department Head shall be responsible for assigning responsible personnel to assist the Finance Department in conducting the inventory. The department is advised to do any necessary preliminary work in order to be ready for the inventory.
3. The inventory process shall check to see that each item listed in inventory is located within the department, and that "location" information is correct.
4. The inventory process shall also determine if there are any fixed assets that are not listed on the inventory or that do not have a City of York tag.
5. During each department's inventory, any corrections or adjustments shall be documented, and the department head shall receive a copy of the corrections /adjustments.
6. Upon completion of the inventory, all corrections or adjustments shall be input into the FA module. The Finance Department shall report all discrepancies to the City Manager if there are any major areas of concern.

Disposal of Fixed Assets /Purge of Fixed Assets Records

When a fixed asset has reached the end of its use and is ready to be removed from the fixed assets inventory, the Department shall provide this information in writing to the Finance Department. If the fixed asset is to be sold at auction, it is transferred to a location, with security provided by the Police Department, for storage until the auction takes place. The Financial Department enters the disposal information into the FA module of the BS&A accounting software.

The FA module allows input of various disposal codes when the asset is disposed / retired. Even though the fixed asset is disposed /retired, it is often desirable to maintain the historical record of the asset. This provides documentation of the fixed assets that have been used by departments and the actual life expectancy experience. Therefore, the fixed assets record should not normally be purged at the time of the fixed asset is disposed or retired.

FIXED ASSETS POLICIES & PROCEDURES
Attachment A

City of York
Depreciation Schedule (Estimated Useful Life)

The following is to be considered as guidelines – special circumstances might warrant deviations from this schedule.

Land and Land Improvements - not depreciated.

Buildings and Building Improvements –

Construction - 50 years

Portable Structures - 25 years

Infrastructure

Water/Sewer Infrastructure - 10 to 50 years

Streets/alleys - asphalt 15 years

Sidewalks and curbing - 15 years

Traffic control signals – 15 years

Street Lighting 15 years

Storm sewer collection (piping) 40 to 50 years

Bridges - 50 years

Machinery and Equipment

Outdoor Equipment - 5 to 10 years

Police and Fire Equipment - 3 to 10 years

Machinery & Tools - 5 to 15 years

Custodial/Kitchen Appliances - 15 years

Science & Engineering Equipment - 10 years

Furniture & Accessories - 5 to 10 years

Business Machines - 10 years

Communications Equipment - 10 years

Computer Equipment - 3 years

Computer Software - 5 years

Audiovisual Equipment - 10 years

Contractor Equipment - 10 years

Grounds Maintenance Equipment - 5 to 15 years

Vehicles

Police Patrol Vehicles - 5 years

Other Licensed Vehicles - 5 years

Contractor Equipment (forklifts, loaders, bulldozers, backhoes, etc.) - 10 year



YORK POLICE DEPARTMENT

12 NORTH ROOSEVELT STREET • P.O. BOX 500
YORK, SOUTH CAROLINA 29745
(803) 684-4141 MAIN • (803) 684-1712 FAX
www.yorksc.gov/police
BRIAN TRAIL
CHIEF OF POLICE

October 26, 2023

City Manager Dalton Pierce,

As requested, I have completed a study determining a maximum safe speed for all residential neighborhoods within the City of York. As a result of our most recent study and the recommendations of all those involved, I propose that the City of York work to pass a measure that decreases the speed limit in identified residential areas of the city to 20 mph. This helps keep our children, neighbors, pedestrians and pets safer.

Speed limits represent a concerted effort to balance safety and travel efficiency and reduce congestion. They are intended to promote public safety by providing drivers with information to help them choose a reasonable and prudent speed that is appropriate for the existing traffic, weather, and roadway conditions. It is well-established that speeding represents a risk to public safety. Excessive speed increases the likelihood of crashing and the risk of severe injury in a crash. A crash occurring at 20 mph has a 13% likelihood of ending in death or severe injury. At 30 mph, that number increases to 40% and jumps to 73% at 40 mph. South Carolina Code of Laws statue 56-5-1520 regarding the regulation of traffic on our roadways sets many of these areas at 30 mph. That section code of law reads in part:

(C) Thirty miles an hour is the maximum speed in an urban district. "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet for quarter of a mile or more.

OBJECTIVE: To determine the maximum safe speed of the following subdivisions: Wellington Square, Austin Lakes, Asbury Ridge, Pheasant Ridge, Abel Ridge, Monterey Park, Hunter Park, Fergus Crossing, Wilkerson Place, and Ole East Point.

THE STUDY: Research of both South Carolina laws and laws from other states revealed there is little to no guidance from either. I instructed six senior officers from my agency to assist me by conducting in-person traffic evaluations in all the above subdivisions. These officers were Captain Gary Messer, Lieutenants Dale Edwards, Kevin Hoffman, Tim Dover, and Wes Burrell. Together these officers, including myself, have more than 100 years of law enforcement experience. You will see their recommendations are listed below. I also contacted Patrick Sadek who has 27 years of engineering experience as a professional engineer. His response and those from my senior officers are listed below:

Captain Gary Messer

After driving the neighborhoods and doing a little research through the internet, I am in agreement on having the speed limit through those neighborhoods at 20mph. With the number of houses and people that will be living there, I believe anything higher would be unsafe.

Lieutenant Kevin Hoffman

Short answer: I'm a huge fan of residential neighborhoods with a speed limit of 20 mph or less if feasible. You look at neighborhoods at the beach or even in Tega Cay, the 20mph posted speed limit is set for heavily populated neighborhoods, areas with children at play and use of golf carts, which is increasing in our area. I live in a residential neighborhood and our speed limit is 25 mph, which gives people the urge to push it and go 30-35 mph at times. Below are my observations with our neighborhoods to explore:

- *Wellington Square*: tree-lined (limited visibility) with a long straight-a-way (increased speed), already a private property posted speed limit of 10 mph.
- *Austin Lakes*: multiple hills and straight-a-ways, large population of children, walking distance to the elementary school.
- *Asbury Ridge*: narrow roads with many turns within the neighborhood
- *Monterey Park*: multiple curves, playground on site, large subdivision with expected large children population, exposed manholes on the roadway
- *Hunter Park*: heavily populated with children with long straight-a-ways
- *Fergus Crossing*: massive and vast neighborhood, long straight-a-ways with hills
- *Wilkerson Place*: straight-a-ways with houses front yards very close to the street
- *Ole East Point*: directly off of E. Liberty St, where people hardly go 35 mph anyways, already posed at 25 mph, but the horseshoe curve seems too steep for that speed limit.

I drove through all the neighborhoods and when safe and feasible, I drove at 25 mph, and it seemed way too fast. Through my experience, I've seen pedestrians and cyclists get hit with vehicles at many speeds, and of course, the slower the car is moving, the likelihood of survival increases. As a result of my findings, I recommend that we implement speed zones of 20 mph in residential areas of the City of York.

Lieutenant Tim Dover

Chief, upon riding through these residential areas, and being familiar with them, decreasing the post speed limits to 20 mph would be my maximum recommended speed limit. Any speed over that would not provide adequate reaction time for the larger population in these areas.

Lieutenant Dale Edwards

I am a certified driving instructor and radar instructor for the York Police Department. I have been certified for over 20 years. I have driven through the neighborhoods that have been built and the new ones that are in the process of being built. It is my opinion that the speed limit in these residential areas should be lowered by the City of York below the state regulated 30 mph. The speed at which I drive these areas and feel comfortable and safe is 20 mph and in some areas my speed is even less. This is due to the width of the roadways and cars being legally parked on the roadway. The curves that are built in the areas and the children in these areas. I have witnessed children playing and the children run into the roadway either chasing each other or chasing a ball. The children will dart out from between cars and the drivers many times to not have an opportunity to stop. The lower the speed the more able the driver is to get the vehicle stopped and/or drive in a manner to avoid a collision thus saving a life or preventing worse injuries. It is my belief the speed limit should be 20 mph in the new and existing residential areas inside the City of York. This is due to the closeness of the residences and the narrow streets.

Lieutenant Tim Dover

I have completed my drive through of the subdivision that you directed. My recommendation of speed limits in these residential areas would be somewhere 15mph to 20mph. Some roads are not as wide and if there are cars parked on the side and children out playing, I feel that anything over 20mph is simply too fast. I would like to note that Wellington Square does have a posted speed limit sign of 10mph, but it is a private sign not a state sign. Ole Eastpointe has a posted speed limit sign of 25mph that is a state sign.

Patrick N. Sadek, P.E.

This morning Chief Trail and I discussed his "Speed Limit Regulatory Signage" residential neighborhood plan. I totally agree with his plan and asked him to feel free to contact me if he requires any additional feedback.

CONCLUSION: In 2022, this agency conducted an in-person speed and volume study inside the Austin Lakes and Hunter Park subdivisions. The study was completed by Lieutenant Dale Edwards and me. We conducted stationary radar in unmarked police vehicles. We registered approximately 300 vehicles. The average speed was 25.6 MPH. This led us to believe that there was not a speeding problem at this time. Since that study, we discovered that we did not include in our findings that all vehicles were measured in straight a-ways and that we did not take into consideration turns, intersections, street widths, and on-street parking for that study. As a result of our most recent study and the recommendations of all those involved, I propose that the City of York work to pass a measure that decreases the speed limit in identified residential areas of the city to 20 mph. This helps keep our children, neighbors, pedestrians and pets safer.



Chief Brian A. Trail



Date

STATE OF SOUTH CAROLINA)	
)	CITY OF YORK
COUNTY OF YORK)	

ORDINANCE 24-715

AMENDING THE CODE OF ORDINANCES FOR THE CITY OF YORK BY ADDING DEFINITIONS AND REQUIREMENTS FOR URBAN CAMPING

- Whereas, York City Council and Planning Commission find that the City currently lacks an ordinance regulating how temporary residential facilities can be utilized;
- Whereas, York City Council and Planning Commission find that the absence of such regulations may allow for increased risks to the public health within in the city, such as toxic substances infiltrating ground water, offensive and/or harmful gases and an increase in the population of vermin and other nuisance animals;
- Whereas, York City Council and Planning Commission find that the adoption of such requirements related to regulation of temporary residential facilities shall provide law enforcement with the necessary means to ensure the public safety of all citizens and visitors in the City; and
- Whereas, York City Council and Planning Commission find that the regulation of temporary residential facilities shall promote the public health, safety, order, appearance and general welfare of all citizens by providing for a safer and healthier city.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that the Code of Ordinances for the City of York be amended by adding the following:

Chapter 14- Environment, Article II- Nuisances, Section 14.37 – Urban Camping

Definitions:

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Except as otherwise provided, all words in this article shall be given their ordinary and customary meaning:

Camp and *Camping* shall mean occupying or using a public park, public street or private property for a living accommodation using a mobile, movable, or temporary shelter, including, but not limited to, a tent, travel trailer, recreational vehicle, park trailer, sleeping bag, or blanket; and in the course of such occupation or such use:

- Lying or sleeping in a single place or limited area for eight or more continuous hours;
- Cooking or preparing meals;
- Depositing or discharging human waste in areas not authorized by the City of York for such deposit or discharge; or performing any other activity commonly associated with occupation of a residence; or any combination thereof.

Public Park includes all municipal parks, public play grounds, public plazas, attractions and monuments.

Public Street includes all public streets and highways, public sidewalks, public benches, public parking lots and medians.

Storing Personal Property shall mean leaving one's personal effects, such as, but not limited to, clothing, bedrolls, cookware, sleeping bags, luggage, knapsacks, or backpacks, unattended for any substantial prolonged length of time. This term shall not include parking a bicycle or other mode of transportation.

Requirements:

1. It shall be unlawful to camp or to store personal property in any public park or public street, as defined in this chapter.
2. It shall be unlawful to camp, to sleep, to store personal property, to sit on, or to lie down on any public park, public street, or other public property so as to interfere with ingress or egress from such public park, or public street, or other public property, or any combination thereof, or so as to interfere with ingress and egress to any private property accessed by means of such public park, or public street, or other public property, or any combination thereof.
3. It shall be unlawful to camp or to store a personal travel trailer or recreational vehicle on private property except where each of the following requirements are met:
 - The subject property must have an existing, detached, single-family residential dwelling unit currently being used for legal residential purposes; and
 - A single tent is allowed as an temporary accessory use to the existing house. The temporary tent erection and use shall not exceed 5 days per month; and

- A single travel trailer or recreational vehicle may be stored but shall not be used as a temporary or permanent sleeping quarters. It shall be prima facie evidence that a travel trailer or recreational vehicle is being used as a sleeping quarters if it has been hooked up to any utility service(s) or any slide-out systems have been extended for eight or more continuous hours.
 - All applicable requirements of the City of York Zoning Ordinance must be met.
4. This section shall not be construed to prohibit any of the following behaviors:
- a. Uses of public parks or public streets authorized by York City Council;
 - b. A person or persons sitting or lying down as a result of a medical emergency; and
 - c. A person or persons in lying down, sitting on, or napping on a public park, public street or private property where such activity does not constitute camping as herein defined, and such activity does not interfere with ingress and egress as defined herein.

Penalties

No person may be arrested for violating this section until such person has received an oral or written warning to cease the unlawful conduct. If the violator fails to comply with the warning issued, he or she is subject to arrest for urban camping, which shall be an ordinance violation. Any subject who violates this section shall be penalized in accordance with Section 1-11.

Severability

If any provision, clause, sentence, or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

MICHAEL D. FUESSER, MAYOR

ATTEST:

Municipal Clerk

First Reading:

Public Hearing:

Second Reading:



FY 2024-2025 Budget Schedule

Dates & Phases

	<u>Task</u>
February 19, 2024	City Council Budget Workshop #1 Kick-Off Discussion (<i>At a City Council Workshop</i>)
March 25, 2024	Department Head's notified by City Manager of the start of FY2024-2025 Budget Preparation and Budget Requests due 5/1/2024
April 1- 30, 2024	City Administration Preliminary Budget Discussions and Preparation
May 1, 2024	Department Head Budget Requests due to City Manager & Finance Director

Phase 1: Budget Planning

May 2 - 12, 2024	City Administration Review Department Head Budget Requests
May 13 - 17, 2024	1st Individual Department Budget Meetings: Administration, Police, Fire, Planning & Zoning, Parks & Rec., Public Works, & Public Utilities
May 18 - June 8, 2024	Budget Expense Review, Preliminary Revenue Projection Analysis, Rate & Fee Schedule Review

Phase 2: Budget Prioritization

June 10 - 14, 2024	2nd Individual Department Budget Meetings: Administration, Police, Fire, Planning & Zoning, Parks & Rec., Public Works, & Public Utilities
June 11 - 16, 2024	Budget Expense Preliminary Draft Final & Revenue Projection Analysis
June 17, 2024	Presentation of the Overview for the Proposed Budget for FY2024 - 2025 at Work Shop #2 (<i>At a City Council Workshop</i>)
June 18 - 30, 2024	Review feedback from City Council from the proposed Budget for FY2024 - 2025 Workshop #2

Phase 3: Budget Formulation & Adoption Process

July 1 - 5, 2024	Final Individual Department Budget Meetings: Administration, Police, Fire, Planning & Zoning, Parks & Rec., Public Works, & Public Utilities
July 6 - 14, 2024	City Administration Preliminary Final Review Budget Expense & Revenue Projection
July 15, 2024	Presentation of the Overview for the Proposed Budget for FY2024 - 2025 at Work Shop #3 (<i>At a City Council Workshop</i>)
July 16 - 28, 2024	Review feedback from City Council from the proposed Budget for FY2024 - 2025 Workshop #3
July 29 - August 12, 2024	City Administration Budget Expense & Revenue Projection Recommendation
August 14 - 18, 2024	Final FY2024 - 2025 Budget prepared and sent to City Council & Department Heads for Final Review
August 15, 2024	Publication date of Public Notice of Public Hearing for FY2024 - 2025 Budget (<i>Requires 15 Day Notice; Publish in Herald</i>) Publication date of Public Notice of Public Hearing for FY2024 - 2025 Rate & Fee Schedule (<i>Requires 15 Day Notice; Publish in Herald</i>)
August 19, 2024	Presentation of the Final Proposed Budget for FY2024 - 2025 at Work Shop #4 (<i>At a City Council Workshop</i>)
August 22 - September 2, 2024	City Administration Final Review Department Head Budget Requests & Budget Expense Draft Final & Revenue Projection Analysis
September 3, 2024	First Reading of FY2024 - 2025 Budget Ordinance (<i>At a Regular Scheduled City Council Meeting</i>)
September 16, 2024	Second Reading and Adoption of FY2024 - 2025 Budget Ordinance (<i>At a Special City Council Meeting</i>) Second Reading and Adoption of FY2024 - 2025 Rate & Fee Schedule (<i>At a Special City Council Meeting</i>) Public Hearing for FY2024 - 2025 Budget Ordinance (<i>At a Special City Council Meeting</i>) Public Hearing for FY2024 - 2025 Rate & Fee Schedule (<i>At a Special City Council Meeting</i>)
September 17, 2024	Budget Sent to Printer & Uploaded into the Accounting System

Phase 4: Budget Execution

October 1, 2024 - September 30, 2025