

**AGENDA**  
**OF THE SIMPSONVILLE CITY**  
**BUSINESS MEETING**  
**December 12, 2023**  
**6:30pm**  
**Council Chambers – City Hall**

1. **CALL TO ORDER**.....Mayor, Shewmaker
  
2. **ROLL CALL**.....City Clerk, Ashley Clark
  
3. **PLEDGE OF ALLEGIANCE**
  
4. **APPROVAL OF MINUTES**- November 14, 2023
  
5. **CITIZEN COMMENTS**
  
6. **BUSINESS**
  - A. Appointment of Municipal Judge.....City Administrator, Dianna Gracely
  - B. 2nd Reading of O-2023-05, Update to Business License Ordinance.....City Administrator, Dianna Gracely
  - C. 2<sup>nd</sup> Reading of TX-2023-03, Misc. Refinements to the Zoning Ordinance.....City Administrator, Dianna Gracely  
Planner, Jon Derby
  - D. Major Change to Merrydale ID, SP-2023-10 at 533 Harrison Bridge Rd.....Planner Jon Derby
  - E. Commissions & Board Appointments and Accommodations Tax Advisory – Planning Commission & Board of Zoning.....Planner Jon Derby  
City Administrator, Dianna Gracely
  
7. **ADJOURN**

**PLEASE NOTE: This Agenda is accurate as of the Friday immediately preceding the Council meeting but is subject to change until twenty-four (24) hours prior to the meeting. Please contact the City Clerk the day of the meeting for the latest agenda information.**

## AN ORDINANCE

### AMENDING THE BUSINESS LICENSE ORDINANCE OF THE CITY OF SIMPSONVILLE TO UPDATE THE CLASS SCHEDULE AS REQUIRED BY ACT 176 OF 2020.

**WHEREAS**, the City of Simpsonville (the "Municipality") is authorized by S.C. Code Section 5-7-30 and Title 6, Chapter 1, Article 3 to impose a business license tax on gross income;

**WHEREAS**, by Act No. 176 of 2020, known as the South Carolina Business License Tax Standardization Act and codified at S.C. Code Sections 6-1-400 to -420 (the "Standardization Act"), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes;

**WHEREAS**, the Standardization Act requires that by December thirty-first of every odd year, each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina (the "Association") and adopted by the Director of the Revenue and Fiscal Affairs Office;

**WHEREAS**, following the enactment of the Standardization Act, the Municipality enacted Ordinance No. 2021-07 on October 12, 2021, in order to comply with the requirements of the Standardization Act (the "Current Business License Ordinance");

**WHEREAS**, the City Council of the Municipality (the "Council") now wishes to amend the Current Business License Ordinance to adopt the latest Standardized Business License Class Schedule, as required by the Standardization Act, and to make other minor amendments as recommended by the Association;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the City of Simpsonville, as follows:

**SECTION 1. Amendments to Appendix A.** Appendix A to the Current Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows:

- (a) Class 8.3 is hereby amended by deleting the NAICS Codes and replacing them with NAICS 517111, 517112, 517122 – Telephone Companies.
- (b) Class 8.6 is hereby amended and restated in its entirety to read as follows: "**8.6 NAICS Code Varies – Billiard or Pool Tables.** A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables shall require their own separate business licenses pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that."
- (c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to

apply and pay for a business license in their natural class.

**SECTION 2. Amendments to Appendix B.** Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” is hereby amended as follows:

- (a) Classes 1 through 8 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” are hereby amended and restated as set forth on the attached Exhibit A.
- (b) Class 9 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” shall remain in full force and effect as set forth in the Current Business License Ordinance.
- (c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

**SECTION 3. Repealer, Effective Date.** All ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be effective with respect to the business license year beginning on May 1, 2024.

**ENACTED IN REGULAR MEETING**, this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

First reading: \_\_\_\_\_

Final reading: \_\_\_\_\_

**Exhibit A: Amendment to Classes 1 – 9 in Appendix B of the  
Current Business License Ordinance**

**APPENDIX B**

**Classes 1 – 9: Business License Class Schedule by NAICS Codes**

<b>NAICS Sector/Subsector</b>	<b>Industry Sector</b>	<b>Class</b>
<b>11</b>	Agriculture, forestry, hunting and fishing	1
<b>21</b>	Mining	2
<b>22</b>	Utilities	1
<b>31 - 33</b>	Manufacturing	3
<b>42</b>	Wholesale trade	1
<b>44 - 45</b>	Retail trade	1
<b>48 - 49</b>	Transportation and warehousing	1
<b>51</b>	Information	4
<b>52</b>	Finance and insurance	7
<b>53</b>	Real estate and rental and leasing	7
<b>54</b>	Professional, scientific, and technical services	5
<b>55</b>	Management of companies	7
<b>56</b>	Administrative and support and waste management and remediation services	3
<b>61</b>	Educational services	3
<b>62</b>	Health care and social assistance	4
<b>71</b>	Arts, entertainment, and recreation	3
<b>721</b>	Accommodation	1
<b>722</b>	Food services and drinking places	2
<b>81</b>	Other services	4
<b>Class 8</b>	<b>Subclasses</b>	
<b>23</b>	Construction	8.1
<b>482</b>	Rail Transportation	8.2
<b>517111</b>	Wired Telecommunications Carriers	8.3
<b>517112</b>	Wireless Telecommunications Carriers (except Satellite)	8.3
<b>517122</b>	Agents for Wireless Telecommunications Services	8.3
<b>5241</b>	Insurance Carriers	8.4
<b>5242</b>	Insurance Brokers for non-admitted Insurance Carriers	8.4
<b>713120</b>	Amusement Parks and Arcades	8.51
<b>713290</b>	Non-payout Amusement Machines	8.52
<b>713990</b>	All Other Amusement and Recreational Industries ( pool tables)	8.6
<b>Class 9</b>	<b>Optional Subclasses</b>	
<b>4411</b>	Automobile Dealers	9.30
<b>4412</b>	Other Motor Vehicle Dealers	9.30
<b>31</b>	Manufacturing	9.80
<b>32</b>	Manufacturing	9.80
<b>33</b>	Manufacturing	9.80

*2023 Class Schedule is based on a three-year average (2017 - 2019) of IRS statistical data.*

**CITY OF SIMPSONVILLE, SOUTH CAROLINA**

**AN ORDINANCE TO AMEND ARTICLE 2 OF THE CITY OF  
SIMPSONVILLE ZONING ORDINANCE**

**WHEREAS**, the Simpsonville City Council reviews the city ordinances at various times to make necessary improvements and/or changes; and,

**WHEREAS**, City of Simpsonville has determined that amendments to its zoning ordinance are needed to create a Design Overlay Entertainment District to provide flexibility in design to allow certain streets within the overlay district to be temporarily closed during festivals; and,

**WHEREAS**, the City of Simpsonville finds that allowing the temporary closure of streets during festivals promotes and improves the safety and welfare of the citizens and residents of the City of Simpsonville; and,

**WHEREAS**, the City of Simpsonville Zoning Ordinances may be amended from time to time as circumstances and the best interests of the community have required; and,

**WHEREAS**, the City of Simpsonville Planning Commission recommended approval of the zoning amendments contained herein at a public hearing on \_\_\_\_\_, 2023 after due notice for the purpose of considering the proposed amendments to the City of Simpsonville Zoning Ordinance.

**WHEREAS**, the Mayor and City Council, after considering all of the facts and circumstances surrounding the proposed amendments to the City of Simpsonville Zoning Ordinance, do hereby find that the amendments as set forth herein are in the best interests of the City of Simpsonville.

**NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:**

*NOTE: Language in section 1 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and \*\*\* represents sections of the Zoning Ordinance that have been skipped and remain unchanged.*

**SECTION 1.** That the City of Simpsonville Zoning Ordinance is hereby amended as follows:

**Article 2 Zoning Districts**

**2.1 Establishment of Districts**

**2.1.1 Zoning Districts**

SIGNATURE OF MAYOR:

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Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

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Ashley Clark  
City Clerk

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Daniel Hughes  
City Attorney

FIRST READING: November 14, 2023  
SECOND READING: December 12, 2023