



ORDINANCE NUMBER 24-2019

AN ORDINANCE AMENDING CHAPTER 38 HISTORIC PRESERVATION, ARTICLE II BOARD OF ARCHITECTURAL REVIEW, SECTION 38-92 PROCESS, TO ELIMINATE THE FINAL CERTIFICATION FEE FROM THE CITY OF GREER CODE OF ORDINANCE AND TRANSFER THE FEE TO THE COMPREHENSIVE FEE SCHEDULE.

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

WHEREAS, the City of Greer City Council recognizes this fee is being removed from the City of Greer Code of Ordinance and will be included in the City of Greer Comprehensive Fee Schedule with all other fees.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Greer, South Carolina that the Greer City Code of Ordinances, Chapter 38- Historic Preservation, Article II – Board of Architectural Review, Section 38-92 Process - be amended as follows:

Chapter 38- HISTORIC PRESERVATION

ARTICLE II. – BOARD OF ARCHITECTURAL REVIEW

Sec. 38-92. – Process

- (a) Plan required: Owners of property seeking approval of rehabilitation work must complete a rehabilitation historic property application with supporting documentation prior to beginning work.
- (b) Preliminary certification: Upon receipt of the completed application the proposal shall be placed on the next available agenda of the BAR to determine if the project is consistent with the standards for rehabilitation in subsection 38-91(c) above. After the BAR makes its determination, the owner shall be notified in writing.

Upon receipt of this determination the owner may:

- (1) If the application is approved, begin rehabilitation;
- (2) If the application is not approved, they may revise such application in accordance with comments provided by the BAR;

(3) If the application is not approved, they may appeal the decision of the BAR by the following the process provided by state law (South Carolina Code of Laws, §§ 6-29-890 through 6-29-940).

- (c) Substantive changes: Once preliminary certification is granted to an application, substantive changes must be approved by the BAR. Unapproved substantive changes are conducted at the risk of the property owner and may disqualify the project from eligibility. Additional expenditures will not qualify the project for an extension on the special assessment.
- (d) Final certification: Upon completion of the project, the project must receive final certification in order to be eligible for the special assessment. The secretary to the BAR will inspect completed projects to determine if the work is consistent with the approval granted by the BAR pursuant to section 38-91 above. Final certification will be granted when the completed work meets the standards and verification is made that expenditures have been made in accordance with subsections 38-91(c) and (d). Upon receiving final certification, the property will be assessed for the remainder of the special assessment period on the fair market value of the property at the time the preliminary certification was made or the final certification was made, whichever occurred earlier.
- (e) Additional work: For the remainder of the special assessment period after final certification, the property owner shall notify the BAR of any additional work, other than ordinary maintenance. The BAR shall review the work at a regularly scheduled hearing and determine whether the overall project is consistent with the standards for rehabilitation. If the additional work is found to be inconsistent, the property owner may withdraw his request and cancel or revise the proposed additional work.
- (f) Decertification: When the property has received final certification and assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following:
 - (1) Written notice by the owner to the BAR and the auditor to remove the preferential assessment;
 - (2) Sale or transfer of ownership during the special assessment period, other than in ordinary course within probate proceedings;
 - (3) Removal of historic designation by the Greer City Council;
 - (4) Rescission of the approval of rehabilitation work by the BAR because of alterations or renovation by the owner or his estate which cause the property to no longer possess the qualities and features which made it eligible for final certification.

Notification of any change affecting eligibility must be given immediately to the county assessor, auditor, and treasurer.

- (g) Notification: The city shall, upon final certification of a property, notify the county assessor, auditor, and treasurer that such property has been duly certified and is eligible for the special tax assessment.
- (h) Date effective: If an application for preliminary or final certification is filed by May 1 or the preliminary or final certification is approved by August 1, the special assessment authorized herein is effective for that year. Otherwise, it is effective beginning with the following year.

The special assessment only begins in the current or future tax years as provided for in this section. In no instance may the special assessment be applied retroactively.

- (i) Application: Once the BAR has granted the special property tax assessments authorized herein, the owner of the property shall make application to the county auditor for the special assessment provided for herein.

All ordinances in conflict with this ordinance are hereby repealed.

This ordinance shall be effective upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA


Richard W. Danner, Mayor

ATTEST:

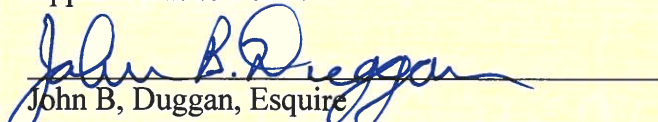

Tammela Duncan, Municipal Clerk

Introduced by: Councilmember Wryley Bettis

First Reading: June 11, 2019

Second and
Final Reading: June 25, 2019

Approved as to Form:


John B. Duggan, Esquire
City Attorney