

YORK COUNTY
CODE OF ORDINANCES

PERFORMANCE STANDARDS AGREEMENT

LOCAL LEGISLATION CURRENT THROUGH ORDINANCE 903, PASSED 2/3/03.
NOT TO BE CONSTRUED AS THE OFFICIAL ORDINANCE IN ITS ENTIRETY & IS
SUBJECT TO CHANGE.

CONTACT THE YORK COUNTY ZONING DEPARTMENT AT 909-7230 FOR
ADDITIONAL INFORMATION

APPENDIX D - EXHIBIT 1:

***CODE OF YORK COUNTY
PERFORMANCE STANDARDS AGREEMENT***

All permitted uses in the ID, LI and UD Districts and special exceptions approved by the Zoning Board of Appeals shall, in addition to all applicable state and federal regulations, meet the following minimum standards regulating the emission or existence of dangerous, detrimental and objectionable elements, where applicable:

(A) *Fire and explosive hazards.* All activities and all storage of flammable and explosive materials at any point shall be provided with adequate safety devices against the hazards of fire and explosion including adequate fire fighting and fire suppression equipment.

(B) *Radioactive emissions.* There shall be no radiation emitted from radioactive emission measured at the property line.

(C) *Smoke, dust and dirt.* The emission of visible smoke, dust, dirt, fly ash particulate matter from any pipes, vents, or other openings, or from any other source, into the air, shall comply with the regulations of the South Carolina Pollution Control Authority.

(D) *Fumes, vapors and gases.* There shall be no emission of any fumes, vapors or gases of a noxious, toxic, or corrosive nature which can cause any damage or irritation to health, animals, vegetation, or to any form of property.

(E) *Vibration.* There shall be no perceptible earth vibrations measured at the property line.

(F) *Heat, cold, dampness or movement of air.* Activities which could produce any adverse effect on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.

(G) *Noise.* The permitted level of noise or sound emission at the property line of the lot on which the principal use is located shall not exceed the values given in the following tables, except that the following uses and activities shall be exempt from the noise requirements:

- (1) Noises not directly under the control of the property user.
- (2) Noises emanating from construction and maintenance activities between 7:00 a.m. and 9:00 p.m.
- (3) The noises of safety signals, warning devices, and emergency pressure relief valves.
- (4) Transient noises of moving sources such as automobiles, trucks, airplanes, railroad cars and locomotives.

The instruments used for these measurements shall conform to all current United States of America Standards Institute specifications. Impact noises shall be measured by means of an impact noise analyzer. Impact noises are those whose peak values are more than five decibels higher than the values indicated by the sound level tables. Between the hours of 7:00 p.m. and 7:00 a.m., the permissible sound levels at residential district boundaries shall be reduced by five decibels in each octave band, or in the overall band for impact noises.

Table 1. Maximum Permitted Sound Levels Using Pre-1960 Octave Bands

| <i>Octave Bands, in Cycles Per Second</i> | <i>Sound Levels</i> |
|---|---------------------|
| 20 - 75..... | 77 db |
| 75 - 150..... | 65 |
| 150 - 300..... | 58 |
| 300 - 600..... | 54 |
| 600 - 1200..... | 50 |
| 1200 - 2400..... | 47 |
| 2400 - 4800..... | 44 |
| 4800 - 10KC..... | 42 |

Table 2. Maximum Permitted Sound Levels, Using Preferred Frequency Octave Bands

| <i>Preferred Center Frequency, in Cycles Per Second</i> | <i>Sound Levels</i> |
|---|---------------------|
| 315..... | 86 db |
| 63..... | 75 |
| 125..... | 64 |
| 250..... | 57 |
| 500..... | 53 |
| 1000..... | 49 |
| 2000..... | 46 |
| 4000..... | 44 |
| 8000..... | 41 |

(H) *Odor.* There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the property line. Any process which may involve the creation or emission of any such odor shall be provided with both a primary and a secondary

safeguard system so that control may be maintained in the event of failure of the primary safeguard system.

(I) *Glare.* There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding or otherwise, so as to be visible in any residential district.

(J) *Compliance guarantee.* The applicant shall acknowledge in writing his understanding of the performance standards applicable to his proposed business and shall submit an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this ordinance and shall be treated accordingly.

Owner/Contractor

Date

County Official

Date

('77 Code, Appendix D, Exhibit 1) (Ord. passed 1-3-00)