1. Agenda

   Documents:

   2025_02_03AGENDA.PDF

2. Meeting Materials

   Documents:

   2025_02_03CAT.PDF
   2025_02_03VESTED.PDF

CITY OF
Clemson
SOUTH CAROLINA

Agenda, Clemson City Council
February 3rd, 2025 at 6:30pm
Council Chamber, Clemson City Hall

6:30pm Call To Order: Regular Council Meeting
Invocation and Pledge of Allegiance: Council Member Evans
Proclamations: Black History Month Honorees, Teen Dating Violence Awareness Month
Public Session: (3-minute limit per speaker)
Approval of Minutes: January 13th, 2025
Reports/Discussion

a. Staff Reports

Policy Action ***(2-minute limit per speaker)***

a. Consider First Reading of an amendment to 2024-R-05(Vesting Non-Conformities). – Zoning Administrator Jacob Peabody

Other Policy Items

a. Review the CATbus Agency Safety Plan as required by the Federal Transit Administration. – Interim Transit Administrator Sawyer Gambrell

Mayor-Council reports/comments/new business
Executive Session

a. Discussion of employment, appointment, compensation, promotion, demotion, discipline, and/or release of an employee, or a person regulated by a public body or the appointment of a person to a public body (SC Code Section 30-4-70(a)(1)):
  i. Sustainability Committee
  ii. Economic Development Advisory Committee

b. Receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim and/or other matters covered by the attorney-client privilege, and/or settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim (SC Code Section 30-4-70(a)(2)).
  i. Civil Action #2022CP3900034
  ii. Civil Action #2024CP3900901
  iii. Civil Action #2025CP3900042
  iv. 2022 Grange Annexation
  v. Freedom of Information Act Policy

c. Discussion of negotiations incident to proposed contractual arrangements and/or proposed sale or purchase of property (SC Code Section 30-4-70(a)(2))
  i. Recreational Property

Note: Upon returning to open session, Council may take action on matters discussed in Executive Session.
Adjourn

City of Clemson
Agenda Item Request Form

Requested By: Sawyer Gambrell

Date Submitted: January 27, 2025

Council Meeting Date: February 3, 2025

Type of Request: (check only one)

- ☐ Report/Discussion
- ■ Policy/Action
- ☐ Executive Session

Agenda Item Summary: (brief for public information and posted agenda)

Consider adopting the CATbus Agency Safety Plan as required by the Federal Transit Administration

Agenda Item Detail: (expand as necessary for clarification)

Consider approving the annual update to the Safety Management Plan (SMS), Agency Safety Plan (ASP) that includes the newly created General Directive 24-1 (Assaults on Transit Workers) as well revising the Transit Worker Safety Reporting Program.

Clemson Area Transit
Agency Safety Plan

200 West Lane
Clemson, SC 29631

Version 1 06/15/2020
Version 2 06/01/2021
Version 3 12/05/2022
Version 4 12/02/2024

Version Number and Updates			
Version Number	**Section/Pages Affected**	**Reason for Change**	**Date Issued**
1		New Document	6/15/2020
2	4,6,7,9,10,11,13,16,19,20,22,24,25,	Updated title of Operations Manager and other	7/13/2021
3	6	Safety performance targets chart	12/5/2022
4	Entire Document	Annual ASP Update including the Markup: Changes to 49 CFR 673	12/02/2024

Table of Contents

1. TRANSIT AGENCY INFORMATION 3

System Description 4

2. PLAN DEVELOPMENT, APPROVAL, AND UPDATES 5

3. SAFETY PERFORMANCE TARGETS 6

4. SAFETY MANAGEMENT POLICY 7

CATbus Safety Management Policy Statement (SMPS) 7
Safety Management Policy Communication 8
Authorities, Accountabilities, and Responsibilities 9
Transit Worker Safety Reporting Program 11

5. SAFETY RISK MANAGEMENT 13

Safety Hazard Identification 13
Safety Risk Assessment 15
Safety Risk Mitigation 17

6. SAFETY ASSURANCE 18

Safety Performance Monitoring and Measurement 18

7. SAFETY PROMOTION 24

Competencies and Training 24
Safety Communication 28

ADDITIONAL INFORMATION 31

APPENDIX A: DEFINITIONS 32

APPENDIX B: ACRONYMS AND ABBREVIATIONS 36

APPENDIX C: CLEMSON CITY COUNCIL ASP APPROVAL DOCUMENTATION 37

APPENDIX D: CERTIFICATION DOCUMENTATION 38

APPENDIX E: CATBUS SAFETY RISK ASSESSMENT MATRIX 39

APPENDIX F: CDL TRAINING PROGRAM 41

APPENDIX G: ORGANIZATIONAL CHART 43

1. Transit Agency Information

<table>
<tr><td>Transit Agency Name</td><td colspan="4">Clemson Area Transit (CATbus)</td></tr>
<tr><td>Transit Agency Address</td><td colspan="4">200 West Lane, Clemson, SC 29631</td></tr>
<tr><td rowspan="2">Title of Accountable Executive</td><td colspan="4">City Administrator

The Accountable Executive meets the requirements in 49 CFR § 673.5 and $673.23(d)(1). Please see the Roles and Responsibilities of the Accountable Executive in Section 4-Safety Management Policy.</td></tr>
<tr><td colspan="4">General Manager of Transit Services

The SMS Executive meets the requirements of § 673.5 and $673.23(d)(2). Please see the Roles and Responsibilities of the Chief Safety Officer in Section 4-Safety Management Policy.</td></tr>
<tr><td>Title of SMS Executive</td><td colspan="4"></td></tr>
<tr><td>Title of Chief Safety Officer</td><td colspan="4">Operations Manager

The Chief Safety Officer assists the SMS Executive in the day-to-day operation of the SMS. Please see the Roles and Responsibilities of the Chief Safety Officer in Section 4-Safety Management Policy.</td></tr>
<tr><td>Mode(s) of Service Covered by This Plan</td><td>Fixed-route Bus; Demand response/paratransit</td><td>List All FTA Funding Types (e.g., 5307, 5310, 5311)</td><td colspan="2">5307 and 5339</td></tr>
<tr><td>Mode(s) of Service Provided by the Transit Agency (Directly operated or contracted service)</td><td colspan="4">Fixed-route Bus – directly operated
Demand response/paratransit – contracted with Senior Solutions</td></tr>
<tr><td>Does the agency provide transit services on behalf of another transit agency or entity?</td><td>YES</td><td>Description of Arrangement(s)</td><td colspan="2">Provide fixed-route service for the City of Seneca with 3 fixed routes. Service Monday through Friday. CATbus also provides one maintenance staff member.</td></tr>
<tr><td>Name and Address of Transit Agency(ies) or Entity(ies) for Which Service Is Provided</td><td colspan="4">City of Seneca
221 East North First Street
PO Box 4773
Seneca, SC 29679</td></tr>
</table>

System Description

Clemson Area Transit is a public service provided fare-free by Clemson University, the City of Clemson, the Town of Central, the Town of Pendleton, the City of Seneca, the South Carolina Department of Transportation, and the Federal Transit Administration.

The City of Seneca owns their buses but contracts with CATbus to provide fixed-route service (four routes) for the City, Monday through Friday. CATbus also provides one maintenance staff member. The City of Seneca owns and operates the facility where these buses are stored and vehicle maintenance is carried out.

Clemson Area Transit contracts out the delivery of its demand response/paratransit service to Senior Solutions, a private operator.

Agency Safety Plan and Safety Management System (SMS)
CATbus developed this safety plan to comply with 49 CFR Part 673, the PTASP regulation, and the National Public Transportation Safety Plan. This plan also serves as an "SMS user's manual" that guides us in successfully implementing and operating our SMS.

The FTA defines SMS as:

> "The formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing hazards and safety risks."

Furthermore, SMS is a comprehensive, collaborative approach that brings management and labor together to build on the transit industry's existing safety foundation to control risk better, detect and correct safety problems earlier, share and analyze safety data more effectively, and measure safety performance more carefully.

Our SMS has four distinct components, which are discussed in subsequent sections of this safety plan:

- Safety management policy
- Safety risk management
- Safety assurance
- Safety promotion

2. Plan Development, Approval, and Updates

Name of Entity that Drafted this Plan	Clemson Area Transit (CATbus)	
Signature by the Accountable Executive	**Signature of Accountable Executive**	**Date of Signature**
Approval by the Board of Directors or an Equivalent Authority	**Clemson City Council**	**Date of Approval**
	Relevant Documentation (title and location)	
	A copy of City Council Resolution R-2020-005 approving the Agency Safety Plan is maintained on file by the SMS Executive (General Manager) and the Chief Safety Officer (Operations Manager) of Transit Services.	
Certification by State Department of Transportation		

Annual Review and Update of the Public Transportation Agency Safety Plan
The Chief Safety Officer and Transit Safety & Training Coordinator will review the Agency Safety Plan (ASP) and continuously monitor the ASP for application to suggest any modifications periodically and issue a yearly update if necessary, which will be prepared in cooperation with front-line staff through facilitation meetings for input. After the collaboration with front-line employees, the ASP updates will be presented to the Accountable Executive to review and approve changes, sign the new ASP, and forward to the Clemson City Council for final review prior to the conclusion of the twelve months of the fiscal year.

3. Safety Performance Targets

Safety Performance Targets		
The targets listed below are based on reviews of our safety performance data from the previous five years. Each year from July 1 until June 30.		
Performance Measure	**Mode of Transit Service**	
	Fixed Route - CATbus	**Para-transit – Senior Solutions**
Major Events	0	0
Major Event Rate	0	0
Pedestrian Collision Rate	0	0
Vehicular Collision Rate	.000002	0
Collision Rate	.000002	0
Fatalities	0	0
Fatality Rate	0	0
Transit Worker Fatality Rate	0	0
Injuries	0	0
Injury Rate	0	0
Transit Worker Injury Rate	0	0
Assaults on Transit Workers	0	0
Rate of Assaults on Transit Workers	0	0
System Reliability	.000003	0

Safety Performance Target Coordination		
The Accountable Executive shares our Agency's Safety Plan, including safety performance targets, with the Anderson – Clemson Area Transportation Study Metropolitan Planning Organization (MPO) each year after its formal adoption by the Clemson City Council. The Accountable Executive also provides a copy of our formally adopted plan to the South Carolina Department of Transportation (SCDOT). CATbus personnel are available to coordinate with SCDOT and the MPO to coordinate safety performance targets upon request, to the maximum extent practicable.		
Targets Transmitted to the State	**State Entity Name**	**Date Targets Transmitted**
	South Carolina Department of Transportation	September 30
Targets Transmitted to the Metropolitan Planning Organization(s)	**Metropolitan Planning Organization Name**	**Date Targets Transmitted**
	Anderson – Clemson Area Transportation Study Metropolitan Planning Organization (MPO) 401 South Main Street Anderson SC 29624	September 30

4. Safety Management Policy

CATbus Safety Management Policy Statement (SMPS)

Safety is a core value at Clemson Area Transit (CATbus), and managing safety is a core business function. We will develop, implement, maintain, and continuously improve processes to ensure the safety of our customers, employees, and the public. Catbus utilizes the Safety Management System (SMS) approach to Safety which is appropriately scaled to the size, scope, and complexity of Catbus, and includes the four pillars of SMS: Safety Management Policy, Safety Risk Management, Safety Assurance, and Safety Promotion. CATbus is committed to the following safety objectives:

- Communicating the purpose and benefits of the Safety Management System (SMS) to all staff, Managers, Supervisors, and employees. This communication will specifically define the duties and responsibilities of each employee throughout the organization, and all employees will receive appropriate information and SMS training.
- Providing a culture of open reporting of all safety concerns, ensuring that no action will be taken against any employee who discloses a safety concern through CATbus' employee safety reporting program, unless such disclosure indicates, beyond any reasonable doubt, an illegal act, gross negligence or a deliberate or willful disregard of regulations or procedures.
- Providing appropriate management involvement and the necessary resources to establish an effective reporting system that will encourage employees to communicate and report any unsafe work conditions, hazards, or at-risk behavior to the management team.
- Identifying hazardous and unsafe work conditions and analyzing data from the employee reporting system. After thoroughly analyzing the data provided, the transit operations division will develop processes and procedures to mitigate safety risk to an acceptable level.
- Establishing safety performance targets that are realistic, measurable, and data-driven. Continually improving our safety performance through management processes that ensure appropriate safety management action is taken and is effective.
- Reviewing the Agency Safety Plan (ASP) for improvement and making the necessary updates if required in cooperation with front-line staff by conducting periodic safety meetings to address safety issues, facilitating sessions with front-line staff regarding potential updates to the ASP, and having front-line representation on the Safety Committee.

Furthermore, CATbus realizes that our most valuable asset is our Transit Workers. We are committed to ensuring their safety by reducing the risk to the lowest possible extent to the number of assaults on transit workers and implementing strategies to limit exposure to infectious diseases by adhering to data and recommendations provided by the CDC or the South Carolina Department of Public Health (SCDPH).

Signed by
City Administrator/Accountable Executive

Safety Management Policy Communication

The Chief Safety Officer, who leads our SMS activities, introduced our staff to SMS principles at an All-Staff Meeting. We provided a hard copy of our Safety Management Policy Statement (SMPS) to each employee during the meeting. We posted copies of the Statement on bulletin boards at headquarters and in the operations and maintenance break areas of the operating division. We have also incorporated review and distribution of the SMPS into new hire training and all-staff annual refresher training. We provided the SMPS to the contractor for distribution to its staff.

The CSO and the Safety and Training Coordinator will periodically conduct “bus side” chats incorporating National RTAP’s 2 the Point refresher cards system with front-line employees to reinforce and encourage the utilization of the Agency’s Transit Worker Safety Reporting Program. CATbus's philosophy is that front-line staff is encouraged to report safety concerns, including assaults on transit workers, near-misses, and unsafe acts and conditions. In addition to the “bus side” chats, there are periodic Safety Meetings with staff to provide timely and accurate feedback to transit workers and what mitigation measures are being employed.

Authorities, Accountabilities, and Responsibilities

Role and Responsibilities of the Accountable Executive
Our Accountable Executive has ultimate responsibility for carrying out the Agency Safety Plan. The Accountable Executive has control or direction over the human and capital resources needed to develop and maintain this Agency Safety Plan.

The Accountable Executive is accountable for ensuring that CATbus effectively implements its SMS throughout the agency and addresses SMS substandard safety performance. The Accountable Executive is responsible for signing SMS implementation planning documents and endorsing SMS implementation team membership.

The Accountable Executive may delegate specific responsibilities, but the ultimate accountability for CATbus' safety performance cannot be delegated and always rests with the Accountable Executive.

The Accountable Executive's roles include, but are not necessarily limited to:

- Decision-making about human and capital resources needed to support asset management, SMS activities, and capital investments;
- Maintaining the Transit Asset Management (TAM) Plan;
- Signing SMS implementation planning documents, and ensuring that SMS is effectively implemented throughout our public transportation system;
- Ensuring action is taken to address substandard performance in our SMS;
- Designating an adequately trained SMS Executive and a Chief Safety Officer who are direct reports;
- Endorsing SMS implementation team membership.

Role and Responsibilities of the SMS Executive
The Accountable Executive designates the General Manager of Transit Services as CATbus' SMS Executive. The SMS Executive has the following authorities, accountabilities, and responsibilities under this plan:

- Develops our Agency Safety Plan and SMS policies and procedures;
- Advises the Accountable Executive on SMS progress and status;
- Oversees the implementation and operation of our SMS;
- Identifies substandard performance in our SMS and develops action plans for approval by the Accountable Executive;
- Ensures CATbus' policies are consistent with its safety objectives.

Role and Responsibilities of the Chief Safety Officer
The Accountable Executive designates the Operations Manager as CATbus' Chief Safety Officer (CSO). The CSO has the following authorities, accountabilities, and responsibilities under this plan:

- Ensures and helps carry out day-to-day implementation and operation of our SMS;
- Manages our Transit Worker Safety Reporting Program (TWSRP),
- Chairs the Safety Committee and:
    - Coordinates the activities of the committee,
    - Maintains and distributes minutes of committee meetings.
- Advises the SMS Executive on SMS progress and status;
- Ensures CATbus' policies are consistent with its safety objectives;

- Establishes and maintains an Excel spreadsheet to monitor and analyze trends in hazards, occurrences, incidents, and accidents;
- Provides SRM expertise and support for other CATbus personnel in conducting and overseeing Safety Assurance activities; and
- In the absence of the SMS Executive, the CSO will have oversight responsibility for SMS implementation and operation.

Agency Leadership and Executive Management Roles
Agency leadership and executive management also have authorities and responsibilities for day-to-day SMS implementation and operation of our SMS under this plan. CATbus Agency Leadership and Executive Management that support the Accountable Executive, SMS Executive, and Chief Safety Officer include:

- Dispatcher/Scheduler
- Maintenance Coordinator
- Safety and Training Coordinator
- Budget and Grants Administrator
- Shift Supervisors
- Drivers and Mechanics

Leadership and Executive Management personnel have the following authorities, accountabilities, and responsibilities:

- Assist in hazard identification, safety risk assessment, safety risk mitigation, safety performance monitoring, safety performance measurement, safety training, and safety communication activities
- Support the SMS Executive and Chief Safety Officer in day-to-day implementation and operation of our SMS
- Support the SMS Executive and the Chief Safety Officer in guiding the development, implementation, and operation of our SMS.

Key Staff Roles
We use the Safety Committee, as well as bi-monthly driver communications, i.e., safety messages and emails to support our SMS and safety programs:

- **Safety Committee**: The Safety Committee and the Chief Safety Officer will jointly evaluate any reported safety hazards during the call/scheduled meeting. The Safety Committee members include the Training & Security Coordinator, Administrative Assistant and Maintenance Coordinator, who will serve consistently. Additional transit workers will be represented on the Safety Committee from the following: Operations Manager or designee, dispatchers/schedulers, bus drivers, Mechanics, Shift Supervisors, and the Budget and Grants Administrator, who will meet to review issues and make recommendations to improve safety.

- **Drivers' Meeting:** The Safety and Training Coordinator will have a permanent agenda item in all bi-weekly communications. Each message is dedicated to safety. Safety issues are discussed and documented. All documentation is turned in to the Operations Manager. Each supervisor meets daily with Operators on shift to discuss issues and safety.

- **Bi-annually All-Staff Meetings:** The Safety and Training Coordinator will share Hazard reports and mitigations, safety topics will be brought up for open discussion, further feedback will be solicited, and hazard self-reporting will be further encouraged. The information discussed in these meetings is documented and turned in to the Operations Manager.

Transit Worker Safety Reporting Program

We have established and implemented a formal safety reporting program that allows our employees to report any safety issues, concerns, or conditions they may see during their day-to-day delivery of transit services voluntarily. This voluntary safety reporting program is separate from our mandatory reporting requirements for accidents and incidents.

The Transit Worker Safety Reporting Program (TWSRP) protects employees who report safety issues, concerns, or conditions. It ensures that discipline will not be applied and that employees have protection against reprisal or any other adverse action for reporting a safety issue, concern, or condition.

The TWSRP clarifies:

- What to report, what not to report, and how to report;
- What managers should do when employees report safety concerns;
- How reports are documented; and
- How employees will receive feedback about the results of their reports.

The reporting system is simple and available to all CATbus and contractor personnel. Our transit worker safety reporting program policy addresses the following:

- Who is responsible for developing and managing the transit worker safety reporting program;
- Timely response to transit worker safety reports.
- How the agency provides feedback to transit workers on the action(s) taken to address the reported safety issue, concern, or condition;
- Investigation of reported safety issues, concerns, or conditions for causal or contributing factors.
- How the transit system documents and reviews safety issues, concerns, or conditions to determine if a hazard exists and
- How to enter a hazard into safety risk management if an issue is determined to be a hazard.

We are committed to providing feedback to our transit workers who report a safety issue, concern, or condition. This feedback is provided either directly in a one-on-one conversation or through the safety meeting platform. It addresses what, if any, action will be taken to address the reported safety issue, concern, or condition.

Our TWSRP encourages transit workers who identify safety concerns in their day-to-day duties to report them to senior management in good faith without fear of retribution. There are many ways employees can report safety conditions:

- Report conditions anonymously via the Agency's website
- Report conditions using their name or anonymously to the Safety and Training Coordinator,
- Report conditions anonymously via the suggestion box outside of the Safety and Training Coordinator.

Examples of information typically reported include:

- Safety concerns in the operating environment (for example, county or city road conditions or the condition of facilities or vehicles);
- Policies and procedures that are not working as intended (for example, insufficient time to complete pre-trip inspection);
- Safety Events that senior managers might not otherwise know about (for example, transit worker assaults/threats, near misses, and other unsafe acts;); and
- Information about why a safety event occurred (for example, radio communication challenges).

The Safety and Training Coordinator reviews the Safety Event Log daily, checks the dedicated email address, and documents identified safety conditions in the Safety Risk Register. The Safety and Training Coordinator, supported by the Safety Committee as necessary, reviews and addresses each transit worker report, ensuring that hazards and their consequences are appropriately identified and resolved through our safety risk management process, and reports deficiencies and non-compliance with rules or procedures are managed through our safety assurance process.

The CSO discusses actions taken to address reported safety conditions during the quarterly All-Staff Meetings. Additionally, suppose the reporting transit worker provided their name during the reporting process. In that case, the CSO or designee follows up directly with the transit worker on the action taken and after implementing mitigations.

We encourage participation in the safety reporting program by protecting employees who report safety conditions in good faith (see CATbus Employee Handbook for more information). However, we may take disciplinary action if the report involves:

- Willful participation in illegal activity, such as assault or theft;
- Gross negligence, such as knowingly utilizing heavy equipment for purposes other than intended such that people or property are put at risk or
- Deliberate or willful disregard of regulations or procedures, such as reporting to work under the influence of controlled substances.

Transit workers who report safety issues, concerns, and conditions are also generally protected under Occupational Safety and Health Administration whistleblower protections.

5. Safety Risk Management

We use the Safety Risk Management (SRM) process as a primary method to ensure the safety of our operations, passengers, employees, vehicles, and facilities. Within this process, we identify hazards and their consequences, assess consequences for their potential safety risk, and resolve safety risk in a manner acceptable to CATbus' leadership. Our SRM process allows us to carefully examine what could cause harm and determine whether we have taken sufficient precautions to minimize the harm or if further mitigations are necessary.

The CSO leads the SRM process, working with the Safety Committee to identify hazards and consequences, assess the safety risk of potential consequences, and mitigate safety risks. The results of the SRM process are documented in our Safety Risk Register and referenced materials.

The SRM process applies to all system elements, including operations, maintenance, facilities, vehicles, personnel recruitment, employee training, and supervision.

Overall, our SRM process includes the following steps that are carried out by the CSO, under the guidance of the SMS Executive, with input from appropriate subject matter experts:

a. Identify hazards
b. Identify the potential consequences of each hazard
c. Evaluate consequences in terms of probability and severity
d. Prioritize risk using our formal risk matrix
e. Communicate prioritized risk to the Accountable Executive
f. Based on the Accountable Executive's approval, create safety risk mitigations to eliminate or reduce the effects of hazards.
g. Implement the mitigation
h. Create a strategy for monitoring mitigation effectiveness

In carrying out the SRM process, we use the following terms:

- **Safety event** - An unexpected outcome resulting in injury or death; damage to or loss of a public transportation system's facilities, equipment, rolling stock, or infrastructure; or damage to the environment.
- **Hazard** - Any real or potential condition that can cause injury, illness, death, damage to/loss of facilities, equipment, rolling stock, or infrastructure belonging to CATbus, or damage to the environment.
- **Safety Risk -** means the composite of predicted severity and likelihood of a potential consequence of a hazard.
- **Safety Risk Mitigation -** means a method or method to eliminate or reduce the severity and/or likelihood of a potential consequence of a hazard**.**
- **Consequence** – An effect of a hazard involving injury, illness, death, or damage to CATbus property or the environment.

Safety Hazard Identification

All subsequent safety risk management activities are contingent on effectively identifying sources for hazard identification, and the processes to obtain information on hazards.

We have developed methods and processes to identify hazards and consequences of the hazards. We consider, as a source for hazard identification, data and information provided by:

- Data and information provided by an oversight authority and, including but not limited to FTA, the SCDOT, and the City Council;
- Data and information regarding exposure to infectious disease provided by the CDC or a South Carolina Department of Public Health; and
- Safety concerns identified through Safety Assurance activities carried out under § 673.27.

We also consider the results of our asset condition assessments when performing safety hazard identification activities. The results of the condition assessments and safety risk management activities help determine whether an asset meets the state of good repair standards under 49 CFR Part 625.

The SMS Executive oversees the hazard identification process. The CSO facilitates the process, documents identified hazards, and ensures that subject matter experts recognize their potential consequences. Hazard identification and consequence determination information is captured in the Safety Event Log, which allows for documenting all identified safety hazards and the subsequent activities related to addressing those hazards.

This Safety Event Log is managed by the Safety & Training Coordinator and maintained by the Administrative Assistant.

The safety hazard identification process allows us to identify hazards and potential consequences in the operation and maintenance of our transit system. We identify hazards through a variety of sources, including:

- Transit worker safety reporting,
- Reviews of vehicle camera footage,
- Reviews of monthly performance data and safety performance measures,,
- Weekly observations by Supervisors,
- Maintenance reports/Fleet Maintenance,
- Comments from customers and passengers,
- Safety Committee, Drivers' and All-Staff Meetings,
- Results of audits and inspections of vehicles and facilities,
- Results of training assessments,
- Investigations into safety events, incidents, and occurrences,
- Information from oversight authorities (including but not limited to FTA, the SCDOT, and the City Council),
- Reviews of driver assaults, attempted assaults, threats, near-misses, and unsafe acts and conditions.

When a safety concern is observed by Management or Supervisory personnel, whatever the source, it is reported to the CSO. Procedures for reporting hazards to the CSO are reviewed during All-Staff Meetings and with the Safety Committee. The CSO also receives employee reports from the TWSRP, customer safety-related comments, and the Safety Log. The Safety and Training Coordinator reviews these sources for hazards and documents them in the "Safety Event Log".

The Safety and Training Coordinator may also enter hazards into the Safety Event Log based on the CATbus' operations and maintenance review, audit and observation results, and information from other authorities, such as the National Transportation Safety Board.

The CSO may conduct further analysis of hazards and consequences entered into the Safety Event Log to collect information, identify additional consequences, and inform which hazards should be prioritized for safety risk assessment. In following up on identified hazards, the CSO may:

- Reach out to the reporting party, if available, to gather all known information about the reported hazard;
- Conduct a walkthrough of the affected area, assessing the possible hazardous condition, generating visual documentation (photographs and/or video), and taking any measurements deemed necessary;
- Conduct interviews with employees in the area to gather potentially relevant information on the reported hazard;
- Review any documentation associated with the hazard (records, reports, procedures, inspections, technical documents, etc.);
- Contact other departments that may have association with or technical knowledge relevant to the reported hazard;
- Review any past reported hazards of a similar nature; and
- Evaluate tasks and/or processes associated with the reported hazard.

The CSO, along with the Safety and Training Coordinator, will then prepare an agenda to discuss identified hazards and consequences with the Safety Committee during periodic meetings and on the occasion of a major safety event. This agenda may include additional background on the hazards and consequences, such as the results of trend analysis, vehicle camera footage, vendor documentation, reports, and observations, or information supplied by oversight authorities (including but not limited to FTA, the SCDOT, and the City Council Any identified hazard that poses a real and immediate threat to life, property, or the environment is immediately brought to the attention of the Accountable Executive and the CSO and addressed through the SRM process (with or without the full Safety Committee). This means that the CSO believes immediate intervention is necessary to preserve life, prevent major property destruction, or avoid environmental harm, which would violate the Environmental Protection Agency or South Carolina environmental protection standards. Otherwise, the Safety Committee will prioritize hazards for further SRM activity.

The CSO is responsible for ensuring that the documentation of hazards and consequences that occur is on file in the CSO's office.

CATbus' Para-transit Demand Response Contractor provides information on the processes they use for hazard identification. CATbus periodically monitors the Contractor to ensure it is carrying out these processes.

Safety Risk Assessment

We use our safety risk assessment process to assess the safety risk associated with identified safety hazards. This process includes an assessing the likelihood and severity of the potential consequences of the identified hazards, including taking into account existing safety risk mitigations, determining if safety risk mitigation is necessary, and informing prioritization of the hazards based on the safety risk mitigations.

The CSO and the Safety Committee assess prioritized hazards using our Safety Risk Matrix. This matrix expresses assessed risk as a combination of one severity category and one likelihood level, also referred to as a hazard rating. For example, a risk may be assessed as "1A" or the combination of a Catastrophic severity category and a Frequent probability level.

This matrix also categorizes combined risks into levels: High, Medium, or Low based on the likelihood of occurrence and severity of the outcome. For purposes of accepting risk:

- "High" hazard ratings will be considered unacceptable and require action from CATbus to mitigate the safety risk,
- "Medium" hazard ratings will be considered undesirable and require the Safety Committee to make a decision regarding their acceptability, and
- "Low" hazard ratings may be accepted by the Chief Safety Officer without additional review.
- Using a categorization of High, Medium, or Low allows for hazards to be prioritized for mitigation based on their associated safety risk.

The Safety and Training Coordinator schedules safety risk assessment activities on the Safety Committee agenda and prepares a Safety Risk Assessment Package. This package is distributed at least one week in advance of the Safety Committee meeting. During the meeting, the CSO reviews the hazards and their consequence(s) and available information distributed in the Safety Risk Assessment Package on severity and likelihood. The CSO may request support from members of the Safety Committee in obtaining additional information to support the safety risk assessment.

After sufficient information is obtained, the Safety and Training Coordinator facilitates completing relevant sections of the Safety Log with the assistance of the Safety Committee and using the Safety Risk Assessment Matrix. The Safety and Training Coordinator will document the Safety Committee's safety risk assessment, including hazard rating and mitigation options for each assessed safety hazard in the Safety Log. The Safety Committee agendas, Safety Risk Assessment Packages, additional collected information, and completed Safety Log sections will be maintained on file by the CSO for three years from the date of generation.

Safety risk prioritization is linked to safety risk mitigation creation. Prioritizing our safety risk provides the Accountable Executive with the information needed to make decisions about resource application. It helps us apply our limited time, financial, and human resources to the highest priority transit safety risk.

The Accountable Executive is the ultimate decision-maker on applying resources to mitigate high priority transit safety risk. Therefore, high priority transit safety risks are communicated to the Accountable Executive. We defined and documented this process that includes criteria for when high priority transit safety risks need to be elevated to the Accountable Executive. Responsibility for communicating to the Accountable Executive resides with the SMS Executive and the CSO.

The CSO is responsible for ensuring that the documentation of safety risk assessment activities occurs, and this documentation is stored in the CSO's office.

Senior Solutions provides CATbus the information on the processes it uses for safety risk assessment. We periodically monitor Senior Solutions to ensure it is carrying out these processes.

Safety Risk Mitigation

Developing safety risk mitigations to proactively reduce our safety risk is the culmination of the safety risk management process. We have processes to identify mitigations or strategies necessary, as a result of our safety risk assessment activities, to reduce the likelihood and severity of consequences. The SMS Executive is responsible for guiding and overseeing the safety risk mitigation process. The CSO is responsible for directing the activities of the subject experts during the risk mitigation process. The Accountable Executive approves safety risk mitigations requiring additional resources or changes in agency policy.

CATbus considers, as a source for safety risk mitigation:

- Guidance provided by the SCDOT if applicable, and FTA; and
- Guidelines to prevent or control exposure to infectious diseases provided by the CDC or the SC Department of Public Health.

All hazards and safety inquiries will be reviewed by the SMS Executive, CSO, and the Safety Committee to determine the corrective actions for mitigation. The Safety Committee will also monitor the status of the mitigation until completion. When there is a major hazard, the entire safety committee is brought in for a meeting concerning the hazard.

We established procedural steps for creating safety risk mitigations to address the potential consequences of our prioritized risk. The steps include how we determine when safety risk mitigation is necessary, and the job function(s) or position(s) that is responsible for creating mitigations. Within this documentation, we reference any forms used to create mitigations and describe how we will record the results of this activity and where these recorded results are stored or maintained. We understand that the goal of a mitigation is to reduce assessed safety risk to an acceptable level. It is unrealistic that any transit operation can assume that it will be able to eliminate all safety risks.

Our safety risk mitigation steps include:

- Examining the consequences of hazards and their likelihood and severity
- Develop strategies to reduce the likelihood and/or severity of those consequences
- Ensure the strategy can be implemented with available resources
- Turn the strategy into a mitigation plan
- Put the mitigation plan into place
- Create a plan for monitoring the effectiveness of the mitigation

After creating a safety risk mitigation, the CSO and the Safety Committee develop and document a strategy for implementing the mitigation. These implementation strategies include:

- who is responsible for implementing the mitigation;
- where the mitigation will reside within agency activities;
- how the mitigation will be implemented, and;
- how long should implementation take?

It is important that we know our mitigations are working. When we develop a mitigation, we also define and document the way the mitigation will positively impact safety performance so we can then monitor whether that positive impact is taking place, and if the mitigation is effective. Under the direction of the CSO, the subject matter experts involved in creating a safety risk mitigation also decide on the best ways

to monitor the effectiveness of the implemented mitigation. This includes developing and documenting monitoring strategies. We create strategies for monitoring the effectiveness of mitigations. These strategies provide consistency in monitoring activities, regardless of whether the mitigation is implemented in operations, maintenance, or administration.

We understand that successful mitigation implementation and monitoring activities depend on having a process for how we formally communicate mitigation and monitoring strategies to operations, maintenance, or administration staff who will implement and monitor the mitigations. We documented this process that is carried out under the guidance and facilitation of the CSO. This communication feeds cross-functional ownership in SMS processes since employees who create the mitigations may not be the same employees that implement and monitor the mitigations.

Strong documentation of safety risk mitigations feeds safety performance monitoring. We established and documented the method for how we record all of our various safety risk mitigation activities and their outcomes. The CSO documents specific measures or activities, such as reviews, observations, or audits, that are conducted to monitor the effectiveness of mitigations after implementation. Within this process, we reference any forms that we use during safety risk mitigation activities.

The CSO is responsible for ensuring that the documentation of safety risk mitigation activities occurs, and this documentation is on file in the CSO's office.

Senior Solutions provides CATbus the information on the processes it uses for safety risk mitigation. We periodically monitor Senior Solutions to ensure it is carrying out these processes.

6. Safety Assurance

Through our Safety Assurance process, we:

- Evaluate our compliance with operations and maintenance procedures to determine whether our existing rules and procedures are sufficient to control our safety risk,
- Assess the effectiveness of safety risk mitigations to make sure the mitigations are appropriate and are implemented as intended,
- Investigate safety events to identify causal factors, and
- analyze information from safety reporting, including data about safety failures, defects, or conditions.

We established a system to document the activities as we monitor our system for compliance within our operations and maintenance policies and procedures. To document this process, we use checklists or forms during the monitoring activities and to record the results of monitoring activities.

Safety Performance Monitoring and Measurement

We have established activities to safety performance and measurements by:

1) Monitoring the system for compliance with, and sufficiency of, the CATbus's procedures for operations and maintenance;
2) Monitor our operations to identify any safety risk mitigations that may be ineffective, inappropriate, or were not implemented as intended, and address them with the Safety Committee;
3) Conduct investigations of safety events to identify causal factors; and

4) Monitor information reported through the Agency's safety reporting mechanisms.

CATbus utilizes several processes to monitor our entire transit system for compliance with operations and maintenance procedures, including:

- Safety audits;
- Informal inspections;
- Review of on-board camera footage to assess drivers and specific incidents;
- Safety surveys;
- Investigation of safety occurrences;
- Safety review before the launch or modification of any facet of service;
- Regular vehicle inspections and preventative maintenance;
- Operator observations that are logged into the system for reference;
- Training records for all routes (ride-along with other Operators); and
- Safety and Training Coordinator ride-along with documentation.

The CSO compares results from the above processes against recent performance trends to determine where we may need to take corrective action. The Safety and Training Coordinator will refer any identified non-compliant or ineffective activities, including mitigations, back into the SRM process for reevaluation by the Safety Committee.

Operations Monitoring

We have checklists and forms to drive and document our operations monitoring activities.

The Operational Area is monitored primarily by Supervisors. The Safety and Training Coordinator will assist when needed. We monitor the following operational areas for compliance with policies and procedures:

- Bus Operator pre-trip inspections
- Bus Operator behind-the-wheel performance
- Bus Operator passenger assistance
- Bus Operator emergency response
- Dispatch emergency response
- Dispatch passenger assistance response
- Operations Supervisors

When our monitoring activities determine a lack of compliance with operations policies and procedures or inadequacies of those policies and procedures, we then use this information to feed our hazard identification and safety risk assessment process.

Supervisors and the Safety and Training Coordinator periodically perform field observations of bus operators, which include documentation on a behind-the-wheel performance checklist. This information is used to reinforce positive behavior and coach on deficits. Documentation of these field observations is on file in the Safety & Training Coordinator's office.

We ensure that any Contractor documents a description of its process for monitoring compliance with its operations policies and procedures for the transit service it provides under contract for CATbus. We periodically audit the Contractor's activities to ensure that it is carrying out compliance monitoring.

Vehicle Maintenance Monitoring
The Maintenance Coordinator monitors the following maintenance areas for compliance with policies and procedures:

- Adherence to Preventive Maintenance Schedules
- Mechanic Preventive Maintenance Activities and Performance
- Mechanic Corrective Maintenance Activities and Performance
- Number of Maintenance Related Vehicle Road Calls and Mechanic Performance during Road Calls

The Maintenance Coordinator documents all vehicle maintenance monitoring activities and results. This documentation is stored at the vehicle maintenance office and shared with the CSO.

We have fleet maintenance management software to document all preventive and corrective maintenance activities.

Facility Safety Inspections
The Maintenance Coordinator conducts monthly inspections of buildings and vehicle maintenance bays and documents inspections on the following checklists:

- Monthly inspection report – shop equipment and building
- Monthly inspection report – building and grounds
- Monthly inspection report – bus inspections

The completed checklists are on file in the Operations Manager's office.

We have processes for fire hazard and fire extinguisher inspections and HAZMAT compliance. These documented processes are on file in the Operations Manager's office.

Field Observations of Service Delivery
We have processes documented for conducting field observations of safety-related aspects of the following elements of service delivery:

- bus stops,
- bus transfer locations,
- fixed-route schedules and service delivery, and
- flag stops.

Supervisors conduct Field Observations with the assistance of the Safety and Training Coordinator. We use checklists to perform route observations for safety concerns or route effectiveness.

CATbus honors flag stops on all routes. The flag stops are not marked, but they are designated. Our Operators are trained to safely operate their routes when stopping for a passenger at a flag stop.

Risk Mitigation Monitoring
The SMS Executive and the CSO are responsible for monitoring operations to identify any safety risk mitigations that may be ineffective, inappropriate, or not implemented as intended. Subject matter experts, including those who assisted in creating the mitigation of the SRM process, often carry out the actual field monitoring of the mitigations.

Activities to monitor the effectiveness of safety risk mitigations ultimately assist us in determining whether:

- the existing mitigation is working as desired;
- the existing mitigation needs some modification to work as desired;
- the existing mitigation is not working and needs to be replaced, or;
- the existing mitigation is no longer needed.

The CSO maintains a list of safety risk mitigations in the Safety Risk Register. The mechanism for monitoring safety risk mitigations varies depending on the mitigation.

The CSO established mechanisms for monitoring safety risk mitigations as part of the mitigation implementation process and assigned monitoring activities to the Safety and Training Coordinator or appropriate Supervisors. These monitoring mechanisms may include tracking a specific metric on daily, weekly, or monthly logs or reports, conducting job performance observations, or other activities. The CSO will endeavor to use existing CATbus processes and activities before assigning new information collection activities.

The CSO and the Safety Committee review the performance of individual safety risk mitigations during bimonthly Safety Committee meetings, based on the reporting schedule determined for each mitigation, and determine if a specific safety risk mitigation is not implemented or performing as intended. If the mitigation is not implemented or performed as intended, the Safety Committee will propose a course of action to modify it or take other action to manage the safety risk. The CSO will approve or modify this proposed course of action and oversee its execution.

The CSO and the Safety Committee also monitor CATbus' operations on a large scale to identify mitigations that may be ineffective, inappropriate, or not implemented as intended by:

- Reviewing results from accident, incident, and occurrence investigations,
- Monitoring employee safety reporting,
- Reviewing the results of internal safety audits and inspections, and
- Analyzing operational and safety data to identify emerging safety concerns.

The CSO works with the Safety Committee and SMS Executive to carry out and document all monitoring activities.

Safety Event Investigation

The CSO and Safety and Training Coordinator share responsibility for our safety event investigation process. The actual performance of safety event investigations, including identifying causal factors, involves the CSO and Safety and Training Coordinator, the Supervisors, the Maintenance Coordinator, and local law enforcement who respond to accident scenes.

Safety event records provide critical baseline information to support SMS implementation, operation, and safety performance target achievement.

We have procedures for conducting safety investigations of safety events, as defined by FTA) to find causal and contributing factors and review the existing mitigations in place at the time of the event. These procedures reflect all traffic safety reporting and investigation requirements established by the South Carolina Department of Motor Vehicles.

The Chief Safety Officer and Admin Assistant maintain all documentation of investigation policies, processes, forms, checklists, activities, and results. As detailed in our procedures, an investigation report is prepared and sent to the Major Safety Event Team for integration into their event analysis. The Major Safety Event Team consists of:

- Permanent Members
    - Fleet Safety Officer – Chair
    - Insurance Company Representative (advisory)
    - City Human Relations Director (advisory)
    - City Police Officer (advisory)
- Annually Rotating Members
    - An Operations Supervisor
    - A member of the transit administration
    - Front Line staff consisting of Bus Operators and Dispatchers
    - A member of maintenance

Our Safety Event Committee may consist of all the Major Safety Event Team representatives selected due to their role as a Subject Matter Expert (SME). As Safety Events and Hazard Identification matters arise, the CSO and/or the Safety & Training Coordinator may select members from the Major Safety Event Team to serve on a Safety Event Committee. In the event of a Major Safety Event, the CSO chairs the team. The who determines whether:

- The major safety event was preventable or non-preventable;
- Personnel require discipline or retraining;
- The causal factor(s) indicates that a safety hazard contributed to or was present during the event; and
- The safety event appears to involve underlying organizational causal factors beyond individual transit workers' behavior.

The results of the analysis for causal factors provide potential hazard identification information that may need to be put through our safety risk management process to reduce the potential risk of a similar accident or incident recurrence.

All safety event investigation documentation is on file in the CSO's office.

We also ensure that any Contractors follow appropriate safety event investigation procedures for the delivery of services.

Transit Worker Safety Reporting Program Monitoring

An effective TWSRP supports hazard identification. The SMS Executive is ultimately responsible for monitoring our employee safety reporting program.

We established and documented the activities we use on an ongoing basis to monitor whether our TWSRP is effective and achieving the desired outcomes. Within this process, we established criteria that will help determine if the program is performing as desired. Some of the requirements include:

- the volume of reports received,
- the value of reports received,
- response to reports received in terms of hazard identification, safety risk assessment, and risk mitigation,

- how information gathered from the TWSRP is shared and communicated and
- the timeliness and accuracy of feedback provided to employees who reported a safety issue or concern.

Documentation on all aspects of safety reporting program monitoring is on file in the CSO's office.

Safety Performance Measurement
We are committed to periodically measuring our safety performance. The SMS Executive is responsible for measuring safety performance. This measurement includes using safety performance indicators to measure the achievement of our safety performance targets and how well we address safety risk in every aspect of our service delivery.

Documentation of periodic performance measurement results is on file in the CSO's office.

Management of Change
Hazards may inadvertently be introduced into an operation whenever a change occurs. Safety management practices require that hazards that are a by-product of change be systematically and proactively identified and corrected. Changes may be internal or external to the organization. Examples of external changes include changes in regulatory requirements, disruptions and changes to our operating environment, and changes to service areas. Examples of internal changes include management changes, new equipment and facilities, as well as new or modified procedures.

A formal process for change management should take into account the following three considerations:
- Criticality of systems and activities
- Stability of systems and operational environments
- Past Performance.

New equipment, system expansion and modification, and system rehabilitation often require design, procurement, and deployment efforts.

Once a change is introduced, a Hazard Risk Assessment will be conducted with key stakeholders. An example of the Risk Assessment Form is in Appendix E.

Continuous Improvement Process
CATbus is dedicated to monitoring, measuring, and reassessing our safety risk controls. We gather data to identify areas for improvement and strengthen our operating systems.

Continuous improvement aims to assess CATbus Safety Performance on an annual basis to:

- Identify deficiencies in the transit agency's SMS and deficiencies in the transit agency's performance against safety performance targets required in § 673.11(a)(3).

- Develop and carry out a plan of action under the directions of the Accountable Executive to address any deficiencies identified through the safety performance assessment.

The plan of action will consider:
- Operational Safety Management (such as policies and procedures, infrastructure, and

equipment)
- Individual performance (such as employee performance monitoring); and
- Systems of control (such as control measures).

7. Safety Promotion

Competencies and Training

The Safety and Training Coordinator is responsible for developing, delivering, and documenting all SMS-related safety skill competencies and training.

We established competencies and training for all personnel directly responsible for safety. Training is provided to transit workers at hire and on an ongoing refresher basis.

All Contractors who provide services for CATbus must provide information on their SMS-related and safety skill training. CATbus will periodically monitor any Contractors regarding their training efforts and document the results of monitoring activities. All Contractors for CATbus are required to acknowledge and participate in the safety program.

SMS Orientation
A cross-functional and multi-level understanding of SMS supports all SMS-related activities. Successful SMS implementation and operation require transit worker involvement and ownership at every level of the agency and within every service-delivery-related function. Transit Workers need to understand SMS, their role within it, and how they, the organization, and customers benefit from its success. This knowledge will nurture transit worker "buy-in."

CATbus will conduct at a minimum two All Transit Worker Staff meetings. At that time, we will present SMS orientation sessions for all transit workers and address the implications of SMS for all agency functions. We provide safety concern identification and reporting training and, at a minimum, provide updates on any Safety Hazard Identifications and Potential Mitigation results. Documentation of these orientations, including the agenda of topics covered and signatures of the trainer/trainee, are kept on file in the Safety & Training Coordinator's office.

Our Transit Worker Safety Identification and Reporting Training program, at a minimum, provides the following information:
- the purpose and benefits of the program;
- guidelines on the types of safety concerns and issues transit workers should report;
- the reporting methods available to transit workers (how to report);
- an explanation of how the information will be managed and shared;
- the protections for transit workers who report safety concerns;
- a description of the operational behaviors that are not protected and may result in discipline, and;
- The agency's commitment is to provide feedback on reported safety concerns.

CATbus Comprehensive Training Program

Training Needs Analyses

We periodically conduct training needs analyses to ensure that our training is current and addresses critical, safety-related concerns. We carry out these training needs analyses by doing the following:

- Reviewing existing job descriptions;
- Adopting training initiatives and requirements of an oversight authority, including but not limited to FTA, the SCDOT, and the City Council;
- Adopting Awareness Training regarding exposure to infectious diseases provided by the CDC or a South Carolina Department of Public Health; and
- Determining what SMS roles, responsibilities, and processes are missing from job descriptions, and;
- Updating job descriptions to reflect SMS practices.

The training needs analysis examines the position and skills required to ensure that the training meets the needs of the transit workers.

In addition to the SMS orientation and Safety Concern Identification and Reporting training presented to all transit worker staff at bi-annual meetings, all CATbus transit workers, including contractor personnel, must participate in De-escalation training and refresher training.

Safety Risk Management Orientation for Subject Matter Experts

Successful proactive safety risk mitigation begins with subject matter experts who clearly understand their responsibilities and the skills required to carry them out.

Transit workers who participate in safety risk management activities as subject matter experts need to understand how to carry out their responsibilities. The CSO ensures that subject matter experts are orientated on their responsibilities, the desired outcomes of safety risk management activities, and the importance of the effort to CATbus' safety performance.

Documentation of the orientation process, as well as the orientations themselves, includes how the agency:

- assesses hazards for consequences;
- conducts safety risk assessments, and;
- creates safety risk mitigations.

Documentation on this ongoing activity is on file in the Safety & Training Coordinator’s office.

Safety Performance Monitoring Orientation

The quality of safety performance monitoring is reflected in an agency's overall positive safety performance. Transit workers participating in safety performance monitoring activities must know how to carry out their responsibilities. The CSO ensures that these transit workers receive orientations on their responsibilities, the desired outcomes of safety performance monitoring, and the importance of the effort to overall agency safety performance.

Orientations include how to perform monitoring activities of operations. Performance monitoring includes such activities as:

- field observations to ensure operations and maintenance policies and procedures are being followed correctly;
- assessing and documenting transit worker safety performance; monitoring the effectiveness of safety risk mitigations and;
- evaluating the effectiveness of the transit worker safety program.

Documentation of these activities is on file in the Training & Safety Coordinator's office.
Our comprehensive safety training program applies to all CATbus' operations transit workers and transit workers directly responsible for safety, including:

- Bus Vehicle Operators,
- Dispatcher/scheduler,
- Maintenance Technicians,
- Supervisors,
- Agency Leadership and Executive Management and Safety and Training Coordinator,
- Chief Safety Officer, and
- Accountable Executive.

We dedicate resources to conducting a comprehensive safety training program and training on SMS roles and responsibilities. The scope of the comprehensive safety training includes the provided training listed below, de-escalation training, and safety concern identification and reporting for all transit workers. Refresher training is also included.

Basic training requirements for CATbus transit workers are documented in the Safety Training Matrix and the Employee Handbook.

We use a new-hire training form to ensure new transit workers are ready for testing for their CDL and informed on procedures and operating guidelines set forth by the City of Clemson and CATbus in a 14-day program. We document our new-hire Bus Operator training program with lesson plans, agendas, and transit worker training completion records.

Refresher Training and Retraining
We presently provide periodic Transit Worker refresher training on a variety of topics. We have lesson plans, agendas, and sign-in sheets to document refresher training content and individual attendance at that training. These documents are on file in the Safety and Training Coordinator's office.

We conduct refresher training in the summer during our slow period. We meet and have several sessions that rotate the Operators through all the training. Training topics include ADA, bloodborne pathogens, defensive driving, customer service, accidents, and first aid. Bus Operators also participate in the Bus Roadeo to enhance their skills.

We also provide retraining for Transit Workers for performance deficits. In the event of a safety event, the Transit Worker is given a Retraining Form of what is expected to achieve during their retraining. A transit supervisor reviews this information with the transit worker and then gives the form to the training and safety coordinator to follow up on the training. The form returns to an Operations Manager to log in to the Safety Event Log to be tracked. All retraining is completed no more than one (1) week after a safety event.

Operations Supervisors and Radio Response Training
Supervisors and those who respond to Transit worker concerns via the radio (radio responders) play a critical role in identifying and responding to hazards and helping to both proactively and reactively mitigate risk. Training for Operations Supervisors and radio responders primarily includes mentoring, coaching, and on-the-job training.

Mentoring, coaching, and on-the-job training are very appropriate training approaches, but one that needs to be guided by a structured agenda of topics. We employ a "bus side chat" process which includes checklists with topics for experienced Supervisors and radio responders to use during on-the-job training, coaching, and mentoring of trainees.

These checklists are also used to document a transit worker's satisfactory completion of the training and include instructor and trainee signatures and the dates the training took place. These documents are kept on file in each individual driver's personnel file.

Shift Supervisors and CATbus staff also receive specialized training on safety event investigation procedures.

Vehicle Maintenance Training
Vehicle maintenance safety-related skill training includes the following:

- Ongoing vehicle maintenance technician skill training,
- Ongoing skill training for Vehicle Maintenance Supervisors,
- Safety event investigation training for Vehicle Maintenance Supervisors,
- Ongoing hazardous material training for Vehicle Maintenance Technicians and Supervisors, and
- Training provided by vendors.

Documentation of this training is kept in each transit worker's personnel file.

Agency Leadership and Executive Management Training
The Accountable Executive and Agency Leadership and Executive Management must complete FTA's SMS Awareness online training and an executive session on safety management sponsored by the Transit Insurance Pool.

Training Documentation
Training documentation is a source of hazard identification.

Training documentation provides formal proof that transit workers were trained and shows that they received timely certification and recertification in critical skill areas. Up-to-date training documentation also assists us in forecasting future training schedules. We have a process for recording transit workers' completion of all SMS and skill-related training.

Training documentation includes:

- training schedules and records of all completed training;
- procedures for revising training materials;
- course assessment materials, and;
- copies of individual transit worker training records.

Records of course completion include:

- date the training was held;
- content covered during the training session;
- length of the session;
- training format, and;
- signatures of instructor and trainee.

Training documentation and course completion records are on file in each transit worker's personnel file.

Training Monitoring

We regularly monitor our training to ensure effectiveness. Specifically, the training monitoring process addresses the following:

- monitor training to make sure it delivers the necessary SMS skills and information;
- establish a process for reviewing and revising training courses and consider review frequency, reviewers, and decision-making process for revisions.

Safety Communication

The SMS Executive is ultimately responsible for ensuring the distribution and communication of safety and safety performance information throughout the transit system. The SMS Executive is assisted in this responsibility by the Safety and Training Coordinator and appropriate Managers and Supervisors.

Safety communication provides a foundation to build SMS processes and activities. We ensure that all transit workers , at a minimum, are aware of information on hazards and safety risks relevant to their roles and responsibilities and informed of safety actions taken in response to reports submitted through the transit worker safety reporting program.

We documented our overall approach to safety communication and supporting safety communication activities. This overall approach to safety communication is on file in the Safety and Training Coordinator's office.

In general, our documentation of safety communication includes details about:

- objectives of the communication;
- content;
- target audience;
- format;
- frequency of the communication, and;
- ways to ensure communication was understood.

We communicate safety information utilizing our employee safety boards, safety meetings, and our Safety Blast emails along with weekly driver schedule emails.

Safety Meetings

An effective transit safety meeting process provides a strong platform for safety-related communication and dialogue, identification of safety hazards, concerns, and issues, and the delivery of refresher training.

We hold periodic transit worker safety meetings and bi-annual All-Staff meetings. Operators are also requested to report any safety issues or concerns during these meetings, which are then recorded in meeting minutes.

Our safety meeting process includes:

- how often we schedule employee safety meetings;
- the job functions that are required to attend meetings;
- how we choose topics to discuss during the meetings, and;
- how we address those topics within the employee safety meeting.

Safety Committee

We have safety committees that address safety concerns. Committee members may fluctuate to involve a greater pool of transit workers and also have safety committees who may be addressing various items simultaneously. The Training and Safety Coordinator, Maintenance Coordinator, and Administrative Assistant will serve on each Safety Committee, and other members of the safety committees will include representatives from the following:

- Operations Manager and/or appointee,
- Dispatchers/Schedulers,
- Bus Operators,
- Shift Supervisors, and the
- Budget and Grants Administrator

Organization-wide communication of Safety Hazard and Safety Risk Information

A goal of safety risk management processes is to reduce safety risks for transit workers and customers. Safety-sensitive transit workers employees are always vulnerable to the consequences of safety hazards within the transit environment. Timely reporting to transit workers of newly identified safety hazards and the safety risks those hazards present can help reduce that vulnerability.

As part of new-hire training, we distribute safety policies and procedures through the CATbus Employee Handbook. We provide training on these policies and procedures and discuss them during bus-side chats between Supervisors, Bus Operators, and Vehicle Maintenance Technicians. For newly emerging issues or safety events at the agency, the CSO issues blast emails, bulletins, or messages to employees, which are reinforced by Supervisors in one-on-one or group discussions with transit workers. The Safety and Training Coordinator posts safety bulletins and flyers on the bulletin boards located outside the Bus Operator and Maintenance Technician break rooms, advertising safety messages and promoting awareness of safety issues.

The SMS Executive is responsible for making sure this communication takes place.

Communication about Safety Risk Mitigations

We are committed to informing transit workers at every level of operations about the safety risk mitigations we are putting into effect. The reasons we provide this information are:

- to tell transit workers that we are doing all we can to reduce risk;
- it brings attention to transit worker's roles and responsibilities that may be affected by new mitigations and;

- informed transit workers are better situated to be a source of information on determining how well mitigations work.

We provide targeted communications to inform employees of safety actions taken in response to reports submitted through the TWSRP, including handouts and flyers, safety talks, updates to bulletin boards, and one-on-one discussions between employees and Supervisors.

Organization-Wide Communication of Agency Safety Performance
CATbus implements SMS to help us continuously improve our safety performance. Communicating agency safety performance information promotes transit worker "buy-in" to SMS processes, thus further improving our overall safety performance.

CATbus transit workers should have ownership of safety. To reinforce this ownership, we periodically communicate statistics on the agency's overall safety performance to all transit workers regardless of job function. This includes providing information on CATbus' status related to achieving its safety performance targets. The SMS Executive is responsible for taking the lead on this communication and ensuring it occurs.

We communicate information on safety performance in our transit worker newsletter and during bi-annual All-Staff Meetings. We also have a permanent agenda item in all monthly safety meetings. Information typically conveyed during these meetings includes safety performance statistics, lessons learned from recent occurrences, upcoming events that may impact our service or safety performance, and updates regarding SMS implementation.

The SMS Executive is responsible for ensuring this safety performance communication takes place.

We document how we communicate safety performance information throughout the transit organization and to the City Council. This documentation is on file with the Safety and Training Coordinator.

Additional Information

We maintain documents that describe the programs, policies, and procedures we use to carry out our Agency Safety Plan. We also maintain documents not included or referenced elsewhere in this safety plan, related to the implementation of the transit agency's SMS, as well as results from SMS processes and activities.

These documents will be maintained for at least three years after their creation and made available upon request by the FTA, other federal entities, or the SCDOT. The SMS Executive will be a primary point of contact when providing Agency Safety Plan-related information to external agencies to ensure access to these documents.

The Certification of compliance with Part 673 in the Transit Award Management System (TrAMS), is performed by the SMS Executive and the CSO.

Appendix A: Definitions

Accountable Executive means a single, identifiable person who has ultimate responsibility for carrying out the Transit Agency Safety Plan of the transit agency; responsibility for carrying out the agency's Transit Asset Management Plan; and control or direction over the human and capital resources needed to develop and maintain both the transit agency's Public Transportation Agency Safety Plan, in accordance with 49 U.S.C. 5329(d), and the transit agency's Transit Asset Management Plan in accordance with 49 U.S.C. 5326.

Assault on a transit worker means, as defined under 49 U.S.C. 5302, a circumstance in which an individual knowingly, without lawful authority or permission, and with intent to endanger the safety of any individual, or with a reckless disregard for the safety of human life interferes with, disables, or incapacitates a transit worker while the transit worker is performing the duties of the transit worker.

CDC means the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

Chief Safety Officer means an adequately trained individual who has responsibility for safety and reports directly to a transit agency's chief executive officer, general manager, president, or equivalent officer. A Chief Safety Officer may not serve in other operational or maintenance capacities, unless the Chief Safety Officer is employed by a transit agency that is a small public transportation provider as defined in this part, or a public transportation provider that does not operate a rail fixed guideway public transportation system.

Direct Recipient means an entity that receives Federal financial assistance directly from the Federal Transit Administration.

Emergency means, as defined under 49 U.S.C. 5324, a natural disaster affecting a wide area (such as a flood, hurricane, tidal wave, earthquake, severe storm, or landslide) or a catastrophic failure from any external cause, as a result of which the Governor of a State has declared an emergency and the Secretary has concurred; or the President has declared a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C.5170).

Equivalent Entity means an entity that carries out duties similar to that of a Board of Directors, for a recipient or subrecipient of FTA funds under 49 U.S.C. Chapter 53, including sufficient authority to review and approve a recipient or subrecipient's Public Transportation Agency Safety Plan.

FTA means the Federal Transit Administration, an operating administration within the United States Department of Transportation.

Hazard means any real or potential condition that can cause injury, illness, or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Injury means any harm to persons as a result of an event that requires immediate medical attention away from the scene.

Investigation means the process of determining the causal and contributing factors of a safety event or hazard, for the purpose of preventing recurrence and mitigating safety risk.

Joint labor-management process means a formal approach to discuss topics affecting transit workers and the public transportation system.

Large urbanized area provider means a recipient or subrecipient of financial assistance under 49 U.S.C. 5307 that serves an urban area with a population of 200,000 or more as determined by the most recent decennial Census.

National Public Transportation Safety Plan means the plan to improve the safety of all public transportation systems that receive Federal financial assistance under 49 U.S.C. Chapter 53.

Near-miss means a narrowly avoided safety event.

Operator of a public transportation system means a provider of public transportation

Performance measure means an expression based on a quantifiable indicator of performance or condition that is used to establish targets and to assess progress toward meeting the established targets.
Potential Consequence means the effect of a hazard.

Public transportation means, as defined under 49 U.S.C. 5302, regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income; and does not include:

(1) Intercity passenger rail transportation provided by the entity described in 49 U.S.C. chapter 243 (or a successor to such entity);
(2) Intercity bus service;
(3) Charter bus service;
(4) School bus service;
(5) Sightseeing service;
(6) Courtesy shuttle service for patrons of one or more specific establishments; or
(7) Intra-terminal or intra-facility shuttle services.

Public Transportation Agency Safety Plan means the documented comprehensive agency safety plan for a transit agency that is required by 49 U.S.C. 5329 and this part.

Rail fixed guideway public transportation system means any fixed guideway system, or any such system in engineering or construction, that uses rail, is operated for public transportation, is within the jurisdiction of a State, and is not subject to the jurisdiction of the Federal Railroad Administration, or any such system in engineering or construction. Rail fixed guideway public transportation systems. These include but are not limited to rapid rail, heavy rail, light rail, monorail, trolley, inclined plane, funicular, and automated guideway.

Rail transit agency means any entity that provides services on a rail fixed guideway public transportation system.

Recipient means a State or local governmental authority, or any other operator of a public transportation system, that receives financial assistance under 49 U.S.C. chapter 53.

Roadway means land on which rail transit tracks and support infrastructure have been constructed to support the movement of rail transit vehicles, excluding station platforms.

Safety Assurance means processes within a transit agency's Safety Management System that functions to ensure the implementation and effectiveness of safety risk mitigation, and to ensure that the transit agency meets or exceeds its safety objectives through the collection, analysis, and assessment of information.

Safety Committee means the formal joint labor-management committee on issues related to safety that is required by 49 U.S.C. 5329 and this part.

Safety event means an unexpected outcome resulting in injury or death; damage to or loss of the facilities, equipment, rolling stock, or infrastructure of a public transportation system; or damage to the environment.

Safety Management Policy means a transit agency's documented commitment to safety, which defines the transit agency's safety objectives and the accountabilities and responsibilities of safety.

Safety Management System (SMS) means the formal, organization-wide approach to managing safety risk and assuring the effectiveness of a transit agency's safety risk mitigation. SMS includes systematic procedures, practices, and policies for managing hazards and safety risk.

Safety Management System (SMS) Executive means a Chief Safety Officer or an equivalent.

Safety performance target means a quantifiable level of performance or condition, expressed as a value for the measure, related to safety management activities, to be achieved within a specified time period.

Safety Promotion means a combination of training and communication of safety information to support SMS as applied to the transit agency's public transportation system.

Safety risk means the composite of predicted severity and likelihood of a potential consequence of a hazard.

Safety Risk Assessment (SRA) means the formal activity whereby a transit agency determines Safety Risk Management priorities by establishing the significance or value of its safety risks.

Safety Risk Management (SRM means a process within a transit agency's Public Transportation Agency Safety Plan for identifying hazards and analyzing, assessing, and mitigating the safety risk. of their potential consequences.

Safety risk mitigation means a method or methods to eliminate or reduce the severity and/or likelihood of a potential consequence of a hazard.

Safety set-aside means the allocation of not less than 0.75 percent of assistance received by a large urbanized area provider under 49 U.S.C. 5307 to safety-related projects eligible under 49 U.S.C. 5307.

Small public transportation provider means a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 that has one hundred (100) or fewer vehicles in peak revenue service across all non-rail fixed route modes or in any one non-fixed route mode and does not operate a rail fixed guideway public transportation system.

State means a State of the United States, the District of Columbia, Puerto Rico, the Northern Mariana Islands, Guam, American Samoa, and the Virgin Islands.

State of good repair means the condition in which a capital asset is able to operate at a full level of performance.

State Safety Oversight Agency means an agency established by a State that meets the requirements and performs the functions specified by 49 U.S.C. 5329(e) and (k) and the regulations set forth in 49 CFR part 674.

Subrecipient means an entity that receives Federal transit grant funds indirectly through a State or a direct recipient.

Transit agency means an operator of a public transportation system - that is a recipient or subrecipient of Federal financial assistance under 49 U.S.C. 5307 or a rail transit agency.

Transit Asset Management Plan (TAMP) means the strategic and systematic practice of procuring, operating, inspecting, maintaining, rehabilitating, and replacing transit capital assets to manage their performance, risks, and costs over their life cycles, for the purpose of providing safe, cost- effective, and reliable public transportation, as required by 49 U.S.C. 5326 and 49 CFR part 625.

Transit worker means any employee, contractor, or volunteer working on behalf of the transit agency.

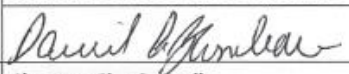
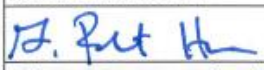
Urbanized area means, as defined under 49 U.S.C. 5302, an area encompassing a population of 50,000 or more that has been defined and designated in the most recent decennial census as an urban area by the Secretary of Commerce.

Appendix B: Acronyms and Abbreviations

Acronym or Abbreviation	Meaning
ADA	Americans with Disabilities Act
AED	Automated external defibrillator
ASP	Agency Safety Plan
CATbus	Clemson Area Transit bus system
CDC	Centers for Disease Control and Prevention
CFR	Code of Federal Regulations
CPR	Cardiopulmonary resuscitation
CSO	Chief Safety Officer
FTA	Federal Transit Administration
GPS	Global Positioning System
HAZMAT	Hazardous Materials
MPO	Metropolitan Planning Organization
PTASP	Public Transportation Agency Safety Plan
SCDOT	South Carolina Department of Transportation
SMPS	Safety Management Policy Statement
SMS	Safety Management System
SRA	Safety Risk Assessment
SRM	Safety Risk Management
TAMP	Transit Asset Management Plan
TWSRP	Transit Worker Safety Reporting Program

Appendix C: Clemson City Council ASP Approval Documentation

2. Plan Development, Approval, and Updates

Name of Entity that Drafted this Plan	Clemson Area Transit (CATbus)	
Signature by the Accountable Executive	**Signature of Accountable Executive**	**Date of Signature**
		7-13-21
Approval by the Board of Directors or an Equivalent Authority	**Clemson City Council**	**Date of Approval**
		7-26-21
	Relevant Documentation (title and location)	
	A copy of City Council Resolution R-2020-005 approving the Agency Safety Plan is maintained on file by the General Manager of Transit Services and the Chief Safety Officer.	
Certification by State Department of Transportation		

Annual Review and Update of the Public Transportation Agency Safety Plan
The Chief Safety Officer and Transit Safety/Training Coordinator will jointly review the Agency Safety Plan (ASP) by July 1st of each year and update it if needed. If any changes are made to the ASP, the Accountable Executive will need to review and approve changes, sign the new ASP, and forward to the Clemson City Council for final review and approval by the 2nd week in July of every year.

Appendix D: Certification Documentation

Appendix E: CATbus Safety Risk Assessment Matrix

Risk Assessment Matrix

SEVERITY LIKELIHOOD	Catastrophic (1)	Critical (2)	Marginal (3)	Negligible (4)
Frequent (A)	High	High	High	Medium
Probable (B)	High	High	Medium	Medium
Occasional (C)	High	Medium	Medium	Low
Remote (D)	Medium	Medium	Low	Low
Improbable (E)	Medium	Low	Low	Low

Severity of the Consequence		
Definition Category	*Meaning*	*Value*
Catastrophic	Could result in one or more of the following: death, permanent total disability, irreversible significant environmental impact that violates law or regulation, or monetary loss equal to or exceeding $250,000.	1
Critical	Could result in one or more of the following: permanent partial disability, injuries or occupational illness that may result in hospitalization of at least one person, property damage exceeding $25,000 but less than $250,000, system shut down lasting between 10 minutes and 4 hours, or reversible significant environmental impact causing a violation of law or regulation.	2
Marginal	Could result in one or more of the following: injury or occupational illness resulting in one or more lost work day(s), reversible moderate environmental impact without violation of law or regulation, or monetary loss up to $25,000, or system shutdown of less than 10 minutes	3
Negligible	Could result in one or more of the following: injury or occupational illness not resulting in a lost work day, minimal environmental impact, or monetary loss less than $25,000.	4

Qualitative Definition	*Meaning*	*Value*
Frequent	Likely to Occur Frequently - more than once per month	A
Probable	Likely to Occur less than once per month but more than once per year	B
Occasional	Likely to Occur less than once per year but more than once per decade	C
Remote	Very Unlikely to Occur - once in the life of the system	D
Improbable	Almost inconceivable that the event will occur in the life of the system	E

Safety Risk Levels

Risk Assessment Matrix Color Code

"Tolerability" based on identified severity and likelihood.

	Unacceptable under the existing circumstances.
	Acceptable based upon mitigations; monitoring is necessary.
	Acceptable under existing circumstances; with senior management approval.

Appendix F: CDL Training Program

CLEMSON AREA TRANSIT COMMERCIAL DRIVER LICENSE - CLASS B
TRAINING PROGRAM

PREREQUISITES

In an effort to retain Clemson Area Transit (CATbus) operator applicants while training for employment and a Commercial Driver's License (CDL), CATbus will pay the CDL candidate(s) $12.00 an hour (maximum 6 hours a day or 29.5 hours a week) for the CDL training. (List Attached)
The CDL candidate must obtain his/her CDL w/ passenger endorsement within 30 days.
Upon completion of the CDL training, and the receipt of his/her Commercial Driver's License the candidate will begin passenger service driving for CATbus at an increased entry level pay rate of $17.06 an hour.

DESCRIPTION

DAILY CDL INSTRUCTIONAL LEARNING

Instructor's name: Matt Moore, Safety & Training Coordinator
Office location: Clemson Area Transit, Clemson, SC
Office hours: 8:00a - 5:00pm
Phone Number: 864.653.2083 or 864.653.0261
Email Address: mmoooore@cityofclemson.org

CDL TRAINING:

Schedule		Assignment	Time	Date
Day One	How and where to clock in and out Bus Orientation On the road driving Run thru pre-trip FTA Drug/Alcohol video		20 mins 20 mins 120 mins 60 mins 60 mins	
Day Two	On the road driving Pre – trip run thru Federal Regulations Hazard Communication		120 mins 120 mins	
Day Three	On the road driving Pre – trip run thru Preventing Harassment Fatigue Management		120 mins 120 mins	
Day Four	Pre – Trip run thru Skills pad work Wellness Whistle blower		120 mins 120 mins	
Day Five	First Aid/CPR/AED/BBP		4.5 hours	
Day Six	Defensive Driving		8 hours	

Day Seven	Pre – Trip run thru Skills pad work Safety Best Practice Preventing Driver Distractions		120 mins 120 mins	
Day Eight	Pre – Trip run thru Following Distance Intersections Rail Road crossing Pedestrian Awareness		120 mins	
Day Nine	ADA, Lifts, Ramps & Securement, Professionalism/Customer Service, Conflict/Aggression Management, Accident & Emergency Procedures.			
Day Ten	On the road driving Pre – trip run thru Skill Pad Work		120 mins 120 mins 120 mins	
Day Eleven	On the road driving Pre – trip run thru Skill Pad Work		120 mins 120 mins 120 mins	
Day Twelve	On the road driving Pre – trip run thru Skill Pad Work		120 mins 120 mins 120 mins	
Day Thirteen	On the road driving Pre – trip run thru Skill Pad Work		120 mins 120 mins 120 mins	
Day Fourteen	GPS, Handbook materials, call out and shift pick, shift sheets, accident/incident sheet.			
Day Fifteen	CDL Test at DMV		4.5 Hrs.	

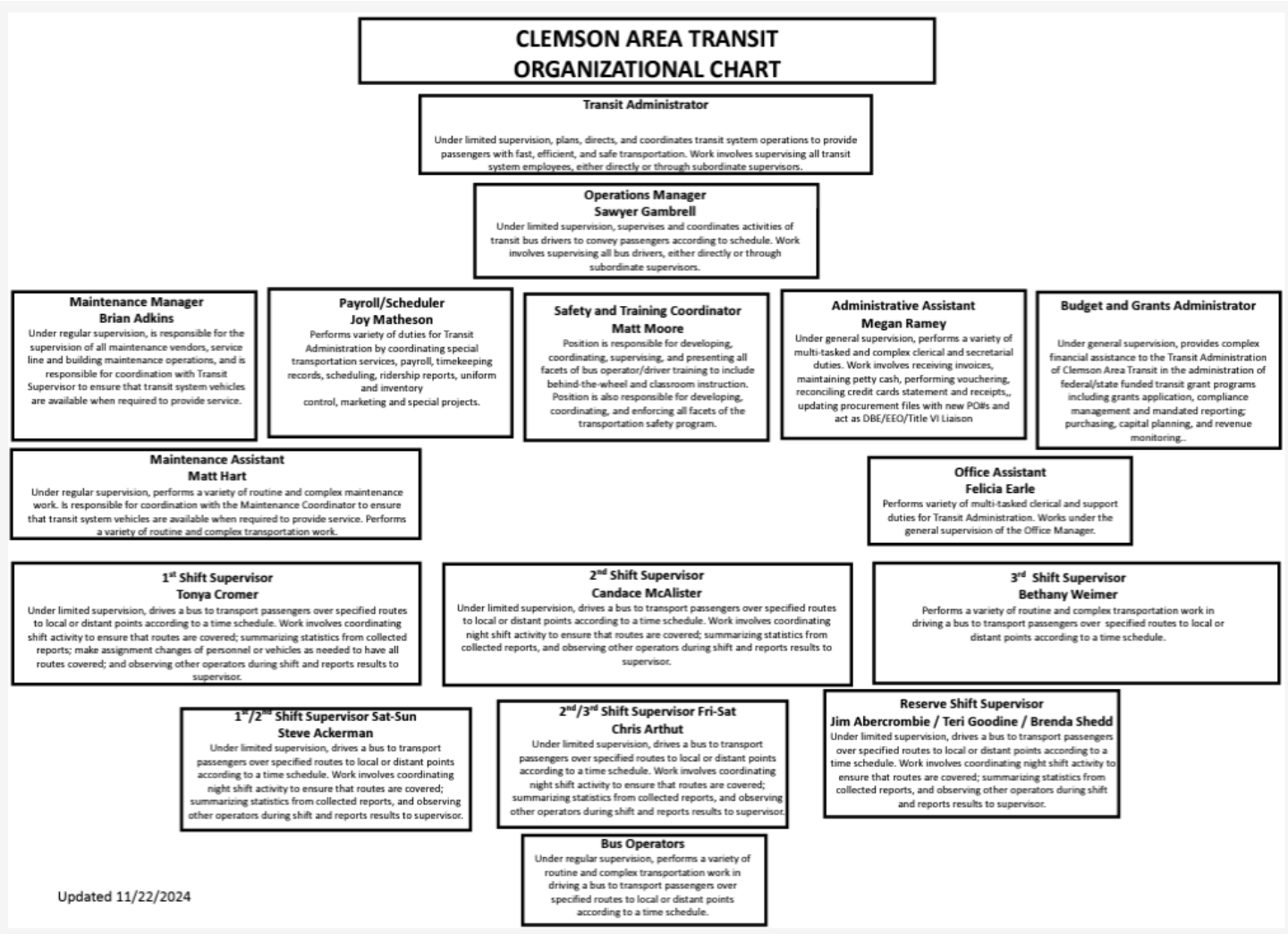
_____ _____

CDL Candidate – Signature Date

_____ _____

Safety and Training Coordinator Date

Appendix G: Organizational Chart



CITY OF CLEMSON
AGENDA ITEM REQUEST FORM

Requested By: Jacob Peabody

Date Submitted: 1/21/2025

Council Meeting Date: 2/3/2025

Type of Request: (check only one)

- ☐ Report/Discussion
- ■ Policy/Action
- ☐ Executive Session

Agenda Item Summary: (brief for public information and posted agenda)

Consider First Reading of an amendment to 2024 -R-05 (Vesting Non-Conformities)

Agenda Item Detail: (expand as necessary for clarification)

Most existing structures or uses built prior to the adoption of current standards (legal non-conformities) must currently be brought into conformance with all existing rules if they are repaired/reconstructed following significant damage/destruction, regardless of the cause. In many cases such repair/reconstruction results in either significant changes to the structure/use, or even prohibiting restoration altogether. Among the exceptions to this are a few culturally significant commercial structures identified by City Code, and residential structures situated in certain zoning districts that may be approved as special exceptions by the Board of Zoning Appeals, for both of which, the damage or destruction resulted from forces beyond the control of the owner.

This proposed text will allow us to treat all districts uniformly by extending the right to repair/reconstruct by vesting the status of legal non-conformance in all districts, provided the properties are otherwise in compliance with City Code, and the damages were caused by forces beyond the owner's control. It should be noted that in spite of the vesting provision, structures/uses would continue to be subject to any applicable architectural review district standards, with the Board of Architectural Review having the ability to waive requirements that negatively impact the repair/restoration. Additionally, the proposed change would have no impact on building, fire, and health/safety codes, all of which will be applied.

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CODE OF ORDINANCES

CHAPTER 19 ZONING

ARTICLE VI. GENERAL AND SUPPLEMENTARY REGULATIONS

DIVISION 2. REGULATIONS GOVERNING LEGAL NONCONFORMITIES

Sec. 19-621. Nonconforming lots, uses, and/or structures.

E. Any legally nonconforming structure or use (hereafter "Nonconformance") determined to be otherwise in compliance with the provisions of this Code that is *damaged, destroyed, or caused to be relocated by any means other than the voluntary, willful, and lawful action of the owner(s) (or their duly authorized agent, employee, or subordinate)*, may be repaired, rebuilt, or otherwise restored to the state, condition, and configuration in which it existed prior to being damaged or destroyed with no restriction placed on its continuation as a legal nonconformity. The following standards shall apply:

1) Any renovation, restoration, and/or construction activities associated with the repair or restoration of a Nonconformance permitted by this section shall meet all applicable adopted building, fire, and life-safety codes and regulations.

2) If said damage, destruction, or relocation of a Nonconformance results from an exercise of eminent domain by a duly authorized entity, it may be repaired/reconstructed or relocated, if possible, on another portion of the property on which it was situated prior to damage/destruction/relocation; or, if site conditions or other factors prohibit relocation on the same property, it may

be relocated to an abutting lot under the same ownership, provided, however, said relocation does not result in the enlargement or increase of the legal nonconformance, nor does it create any safety hazard or direct negative impacts on an existing adjacent use.

4) A reconstructed and/or restored Nonconformance shall possess no more volume, lot coverage, or floor space than existed prior to damage/destruction.

5) A Nonconformance reconstructed or otherwise restored under the provisions of this section shall, to the extent possible, meet adopted open space requirements for such structures/uses. In no event, however, shall the total open space be less than existed prior to damage/destruction.

6) Any Nonconformance located in an Architectural Overlay District shall conform to current Architectural Overlay District standards. The Board of Architectural Review (BAR) may grant waivers (with or without conditions) from standards that prohibit or otherwise negatively impact reconstruction/restoration.

7) All activities associated with the repair, reconstruction/restoration, and relocation of a Nonconformance permitted by this section shall be completed within thirty-six (36) months after the date of damage, destruction, or relocation; the Zoning Administrator may grant an extension of up to twelve (12) months for demonstrated cause. Failure to complete such activities within the approved timeframe shall be considered to be, and shall be dealt with as, a violation of this Chapter.

8) The ability of an owner to relocate, reconstruct, restore, and continue use of a Nonconformance as permitted by this section shall be by right, and as such shall not be subject to the review and approval as a Special Exception, variance, or other form of relief granted by the Board of Zoning Appeals.

~~The proposed repair or reconstruction of any structure damaged as a result of any cause whatsoever, provided the cost of the repair/reconstruction of said structure is greater than fifty (50) percent of its fair market value immediately prior to damage, shall result in the loss of nonconformity rights and subject said structure to strict conformity to these standards. However, any duly permitted legally nonconforming residential structure located in the R-20, R-12, RM-1 and RM-2 Residential Districts deemed by the Zoning Administrator to have been in compliance with all applicable City standards and requirements (other than said legal nonconformity) prior to being damaged as a result of fire, or other cause beyond the control of the owner, may be granted a restoration of nonconformity rights, with or without conditions, as a Special Exception by the Board of Zoning Appeals.~~