

CITY OF TEGA CAY, SOUTH CAROLINA

ORDINANCE NO. 30 AMENDED

AN ORDINANCE TO PROVIDE FOR THE CONTROL OF ABANDONED CONSTRUCTION SITES.

WHEREAS, it is in the best interest of the public that the construction of homes or other structures within the City take place without undue delay, in a timely fashion, and once commenced the project will be completed.

WHEREAS, a partially completed structure, including the excavations for such a structure, which remains incomplete for an extended period of time could become a collecting place for trash and litter, serve as a breeding place for mosquitoes, a refuge for rats and snakes, or a fire hazard, any one of which situations is considered a public nuisance. Therefore, once construction or excavation has commenced, it shall be unlawful to maintain or allow to be maintained, any site or structure in an incomplete condition for more than 30 days from either the revocation or expiration of a building permit or discontinuance of active full-time construction activity on the site; the construction will be considered *prima-facie* to be abandoned and may be declared a public nuisance by City Council. The City Council may abate said nuisance at the owner's or responsible party's expense.

WHEREAS, upon verification of the violation, the property owner, his designated agent, or responsible party shall be notified. This notification shall be made through one of the following actions:

- (a) The mailing of a certified letter, return receipt requested, to the responsible person(s) listed on the records of the City or County, or
- (b) Delivered by hand to the property owner or his designated agent, or
- (c) Delivered by hand to the responsible party designated by property owner or his agent provided the City has written notification of this designation.

Within seven (7) days, the notified party shall demonstrate proof of good faith compliance. Then, if any person, firm or corporation violates any provision of the Ordinance, they shall be fined not less than Fifty (\$50.00) Dollars or up to Five Hundred (\$500.00) Dollars, or up to the maximum amount allowed by SC Code of Laws, and/or imprisoned for not more than thirty (30) days for each offense; and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Should any section of this Ordinance be declared unconstitutional by the Courts, such declaration shall not affect the validity of the Ordinance as a whole other than the part so declared to be unconstitutional or invalid.

This Ordinance shall take effect immediately upon its final passage.

Done and ratified in Council duly assembled this 17th day of July, 1995.

First Reading: September 10, 1984

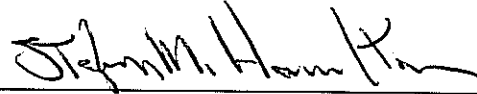
Second Reading: September 17, 1984

1st Amendment

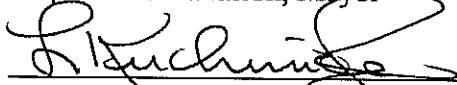
First Reading: June 19, 1995

1st Amendment

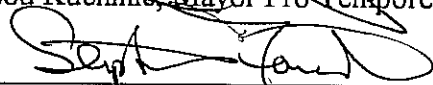
Second Reading: July 17, 1995



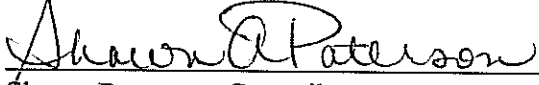
Stephen M. Hamilton, Mayor



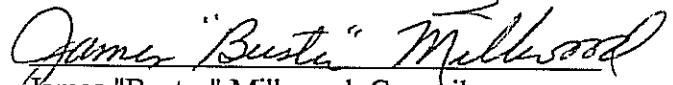
Lou Kuchinic, Mayor Pro Tempore



Stephen J. Forrest, Councilman




Shawn Paterson, Councilwoman



James "Buster" Millwood, Councilman

ATTEST:


Jean C. Varner, City Administrator

CITY OF TEGA CAY
SOUTH CAROLINA

Ordinance No. 30

AN ORDINANCE TO PROVIDE FOR THE CONTROL OF ABANDONED CONSTRUCTION SITES.

WHEREAS, it is in the best interest of the public that the construction of homes or other structures within the city without undue delay take place in a timely fashion and once commenced a project will be completed.

WHEREAS, a partially completed structure, including the excavations for such a structure, which remains incompleted for an extended period of time could become a collecting place for trash and litter, serve as a breeding place for mosquitos, a refuge for rats and snakes, or a fire hazard, any one of which situation is declared a public nuisance. Therefore, once construction or excavation has commenced, it shall be unlawful to maintain or allow to be maintained, any site or structure in an incompleted condition for more than 30 days from either the revocation or expiration of a building permit or discontinuance of active full time construction activity on the site, the construction will be considered prima facie to be abandoned and may be declared a public nuisance by City Council. The City Council may abate said nuisance at the owners or responsible partys expense.

WHEREAS, upon verification of the violation, the property owner, his designated agent, or responsible party shall be notified by certified mail. After seven (7) days of return receipt, party must demonstrate proof of good faith that he intends to comply. Then, any person fails to comply with the city's requirements shall upon conviction thereof be fined not more than \$200.00 or imprisonment for not more than 30 days. Each day such violation continues shall be considered a separate offense. The owner or tenant of any building, structure, premises or part thereof, and any architect, surveyor, builder, engineer, contractor, agents, or other person who commits, participates in, assist in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Should any section of this Ordinance be declared unconstitutional by the Courts, such declaration shall not effect the validity of the Ordinance as a whole other than the part so declared to be unconstitutional or invalid.

This Ordinance shall take effect immediately upon its final passage.

Done and ratified in Council duly assembled this 17th day of September, 1984.

First Reading Septem ber 10, 1984

Richard P. Galen
Mayor

Second Reading Septem ber 17, 1984

Kathryn D. Updike
Mayor Pro Tempore

ATTEST:

Francis D. Thompson
Council Member

Sean C. Turner
City Administrator

Stephen J. Jones
Council Member

Council Member