

ORDINANCE NO. 42 AMENDED CITY OF TEGA CAY, SOUTH CAROLINA

**AN ORDINANCE TO PROVIDE FOR THE ISSUING OF A PERMIT TO
DEFACE STREET OR STREET RIGHT-OF-WAY; DECLARE AS
UNLAWFUL TO LEAVE SAME UNATTENDED OR UNMARKED; TO
DECLARE AS UNLAWFUL THE ABANDONMENT OF SAME.**

42-1 It shall be unlawful for any person, business or utility to punch, cut, or disturb any street or street right-of-way within this City without first obtaining a permit from an Officer appointed by the City. Approval shall be at the discretion of the Officer reviewing same.

Applicants for a permit shall be filed on a form to be furnished:

1. The name, person, business, or utility.
2. The permanent address and location.
3. A brief description of the nature of the defacement.
4. The estimated length of time of the project.
5. The place where the defacement will be.

42-2 It shall be unlawful for any person, business, or utility to punch, cut, or disturb any street or street right-of-way and leave same unattended or unmarked so that it constitutes a safety hazard.

42-3 It shall be unlawful for any person, business or utility to deface street or street right-of-way and abandon same. It is further required that the street or street right-of-way shall be restored to its former condition or its equivalent within the period designated by the City in the permit.

Every applicant shall:

1. Either file a bond equal to 110% the estimated cost of repairs posted in cash or its equivalent or may be by surety bond with a surety approved by the City and in a form approved by the City.
2. Or provide a blanket surety bond for not more than twelve months in amount of not less than \$2,000.

42-4 All repairs must meet City specifications.

42-5 All utilities must be placed in the street, street right-of-way, or in a utility easement as shown on recorded plat on file in York County.

In case any person, business, or utility fails to comply with the City's requirements shall upon conviction thereof be fined not more than the limit as set by state law or imprisonment for not more than 30 days. Each day such violation continues shall be considered a separate offense.

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 invalid.

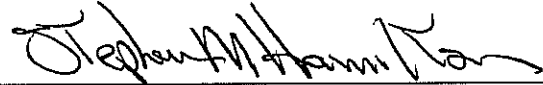
NOW THEREFORE, BE IT ORDAINED, in Council duly assembled, this the 20th day of March, 2000, upon motion by **Mayor Pro Tem Millwood**, seconded by **Councilman Tarulli**, and unanimously approved by Council, this Ordinance shall take effect immediately upon its final reading.

FIRST READING: August 19, 1985

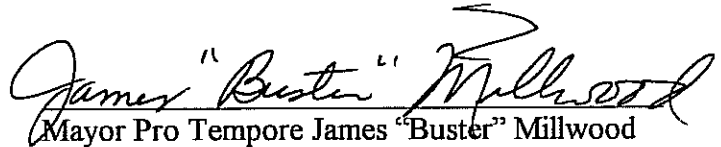
SECOND READING: August 26, 1985

FIRST AMENDED READING: February 21, 2000

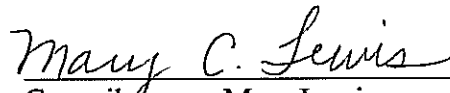
SECOND AMENDED READING: March 20, 2000



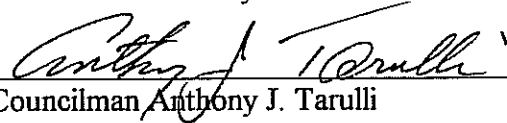
Mayor Stephen M. Hamilton



Mayor Pro Tempore James "Buster" Millwood



Councilwoman Mary Lewis



Councilman Anthony J. Tarulli

ATTEST:



JEAN C. VARNER, City Administrator