

Chapter 5

BUILDINGS AND BUILDING REGULATIONS*

Art. I. In General, §§ 5-1—5-20

Art. II. Abatement of Unsafe Buildings, §§ 5-21—5-27

ARTICLE I. IN GENERAL

Sec. 5-1. Use, erection, repair, etc., of buildings to be in conformity with zoning regulations.

No building, structure or land shall be used or occupied and no building or structure shall be erected, repaired moved or altered except in conformity with the zoning ordinance of the city as set forth in Appendix A.

(Comp. of Ords. 1989, § 10-8)

Sec. 5-2. Building numbers.

Each residence or dwelling place inside the corporate limits of the city and each business establishment therein shall have numbers, placed strategically on the house, dwelling place or business so as to be visible.

These numbers shall be no less than three and one-half (3½) inches in height.

***Cross references**—Fire prevention and protection, Ch. 7; building materials to be removed by contractor, § 8-1; operating radio device, etc., in buildings whereby sound is cast directly upon public streets unlawful, § 13-32; taverns, lounges or dance halls where music is played to be constructed with double doors, § 13-34; planning, Ch. 14; streets and sidewalks, Ch. 17; water, sewers and sewage disposal, Ch. 19; when connection to public sewer required, § 19-16; zoning, App. A; construction, alteration, etc. of buildings to be in conformance with zoning ordinance, App. A, § 1D.; mobile home park zoning district regulations, App. A, § 4C.; zoning regulations concerning accessory buildings, App. A, § 6D.

State law references—Building codes and fire prevention, S.C. Code 1976, § 5-25-10 et seq.; building permits, S.C. Code 1976, § 5-25-310; dwelling unfit for human habitation, S.C. Code 1976, § 31-15-10 et seq.

Residents and business owners inside the corporate limits of the city shall be required to comply with this section within thirty (30) days from the date of adoption.
(Ord. No. 40, 5-18-99)

Secs. 5-3—5-20. Reserved

ARTICLE II. ABATEMENT OF UNSAFE BUILDINGS*

Sec. 5-21. Findings.

The city council finds and hereby declares that there exists within the corporate limits of the City of Chesnee, dilapidated buildings, dilapidated mobile homes, partially burned out houses and buildings, junk cars, weeds, brush, debris, junk material and high grass and/or weeds which, when allowed to remain on property in the city, cause such area to become unsightly and a menace to the public health and safety, and a nuisance.
(Ord. No. 61A, § 1, 7-9-01)

Sec. 5-22. Removal; remedy of nuisances.

The owner, tenants, or person in charge of any property shall, upon notification by any officer of the City of Chesnee, remove from such property, the following conditions, (or remedy such conditions) which are declared to be a menace to the public health, safety, and a nuisance:

- (1) Dilapidated, abandoned, or partially burned out houses, buildings, and mobile homes these must be brought into compliance with the SBCCI Standard Housing Code and Standard Unsafe Building Abatement Code.
- (2) Junk cars. For the purpose of this article, a junk car is defined as a vehicle with license plates that have been expired for a period of more than one year. The owner may apply to the city for a waiver for the vehicle to remain. If

*Editor's note—Ord. No. 61A, §§ 1—7, adopted July 9, 2001, was not specifically amendatory of the Code, hence; inclusion as art II, §§ 5-21—5-27 was at the editor's discretion.

a waiver of the vehicle plate has not been expired for one year, the vehicle must be covered with a car cover for said vehicle.

- (3) Any weeds, brush, undergrowth or debris on any real property, located within the city, that grows to a height of eighteen (18) inches or more.
 - (4) Undergrowth or vines grown to such density as to constitute a haven for rats, snakes, or other vermin.
 - (5) Any accumulation of trash, litter, debris, bottles, cans, bricks, concrete, scrap lumber, building debris, or other junk material which is found on real property.
- (Ord. No. 61A, § 2, 7-9-01)

Sec. 5-23. Notification.

Whenever it is made to appear to the officer of the city that a condition set forth in section 5-22 exists on any real property within the city and is a menace to public health, a nuisance, or a violation of safety, he shall notify the owner of the property by addressing to and mailing to him at his last known address, a certified letter setting forth the provisions of section 5-22. If the owner is unknown or resides outside the city, the notice shall also be mailed to the tenant or the person in charge of the property.

(Ord. No. 61A, § 3, 7-9-01)

Sec. 5-24. Removal of violation.

(a) Upon the failure or refusal of any person so notified as provided by section 5-23 to comply with the removal of the violation from any real property in the city within fifteen (15) days from the date such notice was mailed or delivered, the chief of police, or his duly authorized agent may cause the violation to be removed from such property.

(b) If the owner or occupant of the property, after receipt of the notice set forth in section 5-23, objects to the proposed removal or abatement set forth in this article, he/she shall present his objections in writing to the city clerk within ten (10) days from the date of the mailing of such notice, and shall request a hearing before city council.

(c) Upon failure to object and request a hearing, the owner or occupant shall be deemed to have consented to the determination that the conditions of such property constitutes a menace to the public health, safety, or a nuisance. Such hearing by city council shall be on the first regular meeting following the receipt of the request by the chief of police or his agent.

(d) After hearing the owner or other interested person, city council may revise, modify, or abandon the plan, or may enforce it in its entirety.

(Ord. No. 61A, § 4, 7-9-01)

Sec. 5-25. Cost recovery.

If it is necessary for the chief of police or other duly authorized agent of the city to cause the violation to be removed, as provided by section 5-24(a), he shall upon completion of such removal, file with the city clerk, a statement covering the cost thereof, where upon the city shall proceed to collect such costs from the owner of the property in the same manner as is prescribed for the collection of real estate taxes, and upon the failure of such owner to pay the costs within the year in which the same are charged, the costs shall go into execution, with the same penalties applying and in the same manner as though such charges were delinquent taxes.

(Ord. No. 61A, § 5, 7-9-01)

Sec. 5-26. Penalty.

Any owner, tenant or occupant of the property who shall fail or refuse to remove from such property the items referred to in section 5-22 within fifteen (15) days from the date of the notice decided in section 5-24 shall be guilty of a misdemeanor, the punishment for the misdemeanor shall be a fine of up to five hundred dollars (\$500.00) or imprisonment of up to thirty (30) days or both. Each day that the property remains out of compliance with this article constitutes a separate offense.

(Ord. No. 61A, § 6, 7-9-01)

Sec. 5-27. Authority.

This article is adopted in accordance with Section 5-7-80 of the South Carolina Code of Laws 1976, as amended.

(Ord. No. 61A, § 7, 7-9-01)