

C I T Y O F C H E S N E E

R E S O L U T I O N

A Resolution providing for the vacation, removal, repair, or demolition of any building or structure which is or threatens to be a public nuisance, dangerous to the health, morals, safety, or general welfare of the people of the City of Chesnee, or which might tend to constitute a fire menace; and for the assessment of the cost of vacation, removal, repair, or demolition thereof as a county lien or assessment against such premises, and to provide for the recovery of such costs in an action at law.

WHEREAS, in the City of Chesnee, there are or may in the future be buildings or structures which are dilapidated, unsafe, dangerous, insanitary, a menace to the health, morals, safety, and general welfare of the people of this City, and which might tend to constitute a fire menace, and which are a public nuisance.

BE IT THEREFORE RESOLVED by the City Council of the City of Chesnee.

SECTION 1. The Standard unsafe Building abatement Code, 1985 Edition of which not less than three copies have been and are now filed in the Office of the Clerk to Council, Spartanburg County, is hereby adopted by reference and incorporated into this Ordinance as if set forth at length herein. The provisions herein shall be remedial and shall be construed to promote public safety, health and general welfare securing safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of buildings, structures or premises; provided, that the following changes to such Standard Unsafe Building Abatement Code, 1985 are hereby adopted:

(a) Chapter 1, Section 104 (Violations and Penalties) is deleted in its entirety.

(b) Chapter 1, Section 105 (Board of Adjustments and Appeals) is deleted in its entirety.

(c) Chapter 5, (Rules for Procedure for Hearing Appeals) is deleted in its entirety.

(d) Chapter 7, (Recovery of Cost of Repair or Demolition) is deleted in its entirety.

SECTION 2. Board of Appeals and Adjustments. The Board of Appeals and adjustments created by subsection (d) of Section 7-49 of the Standard Fire Prevention Code shall be further empowered to serve as the Board of Appeals and Adjustments for the Standard Unsafe Building Abatement Code, 1985.

SECTION 3. Promulgation of Rules and Regulations. The City Clerk shall be authorized to promulgate such administrative rules and regulations as are necessary to implement the provisions of this Article, subject to the review and approval by the City Council.

SECTION 4. Violation and Penalties.

(a) Any person, firm or corporation or agent who shall violate any of the provisions of this Article or the codes hereby adopted or fails to comply therewith, or with any of the requirements hereof, or who shall fail to comply with any notice or order to alter, repair, vacate or demolish any unsafe building given by any person authorized by this Ordinance to give such notice or order from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the Board of Appeals and Adjustments or by a court of competent jurisdiction within the time affixed herein, shall severally for each such violation and noncompliance respectively, be guilty of a misdemeanor and, upon conviction, shall be punishable by a fine not to exceed Two Hundred and no/100 (\$200.00) Dollars or imprisonment of not more than thirty (30) days. The imposition of one penalty for any violation or noncompliance shall not excuse the violation or permit it to continue, and each day the violation or noncompliance continues is a separate offense.

(b) The employment of the above penalty shall not be held to prevent application for injunctive relief, mandamus or other appropriate proceedings to prevent, correct or abate any violation or any threaten violation of this Article.

(c) Nothing in this Article or in the codes hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred, or any cause of action accrued or existing under any act or ordinance repealed hereby.

SECTION 5. Recovery of Cost of Repair or Demolition. Whenever a building or structure is repaired or demolished in accordance with the provisions of this Code and the cost of such repair or demolition is borne by the City, the City Attorney shall bring suit to collect all county liens, assessments or costs incurred by the County in repairing or causing to be vacated or demolished any unsafe building or structure.

Adopted this 18 day of December, 1993.

CHESNEE CITY COUNCIL

By: E. Max Cash
E. Max Cash, Mayor

ATTESTED:

Becky Huff
Becky Huff
City Clerk