

ORDINANCE NO. 2017-07

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

AN ORDINANCE AMENDING EXISTING ORDINANCE CHAPTER 12, SECTION 12-53, WEEDS, DEBRIS AND TRASH, TO ADD LANGUAGE PROHIBITING THE STORAGE OF ABANDONED VEHICLES AND A PROVIDING FOR A FINE PER OFFENSE

INTENT

The purpose of this amendment to this ordinance is to provide the Town of Pawleys Island with the ability to protect the community from common nuisances.

WHEREAS, it is necessary and advantageous to all property owners in the Town of Pawleys Island to have laws protecting residents from dangerous behavior;

WHEREAS, it is apparent, necessary and proper for the general welfare, safety and convenience of the Town of Pawleys Island for preserving health, peace and order to create a safe environment within the Town; and

WHEREAS, it is necessary and advantageous to all property owners, visitors and law enforcement personnel of the Town of Pawleys Island to have laws protection these individuals.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) DO HEREBY ADOPT THE AMENDMENTS TO THE TOWN ORDINANCES AS SET FORTH HERIN AND AS STATED BELOW:

Sec. 12-53 – Weeds, debris, trash and abandoned vehicles.

Maintenance requirements shall be as follows:

- (1) Owners and occupants of property located within the Town of Pawleys Island shall not permit their property to serve as a breeding place for mosquitoes, as a refuge for rats and snakes or as a fire hazard, any one of which situations is declared to be a common nuisance. It shall be the duty of the owner and occupant to cut and remove all grass, weeds, and other overgrown vegetation as often as necessary to comply with this provision.
 - A. Burned or dilapidated buildings.
 - a) Whenever a structure is destroyed by fire or other natural or manmade disaster, the property owner and/or manager shall take immediate action to remove the debris from the property. Delays caused by insurance investigations, fire chief and/or marshal reviews, etc., must be approved by the building inspector.
 - b) Structures which have deteriorated to a condition where they endanger the public safety, create a common nuisance or are condemned by a public agency shall be removed upon order of the building inspector.

- (2) Owners and occupants of property located within the Town of Pawleys Island shall not permit the property to serve as a collecting place for trash, litter, garbage, waste, etc., in which such situation is to be considered a common nuisance, and it shall be the duty of the owner and occupant to remove such trash, litter, garbage, waste, etc.
- (3) Owners and occupants of property located within the Town of Pawleys Island shall not permit the property to serve as area for the storing of abandoned vehicles.
- A. As used in this Section, an "abandoned vehicle" means any kind of motor vehicle, including but not limited to an automobile, bicycle, boat, bus, trailer, etc., that is inoperable or left unattended in a legal parking space on a street or road, in the right away, and/or located on the property of an owner or occupier within the Town limits that creates a common nuisance or danger to public safety for a period of more than seven (7) days.
- (4) Notice shall be given to owner or occupier who is in violation of this section through certified mail or U.S. registered mail. Upon receipt of service of notice the owner or occupier shall have fifteen days to come into compliance with the above referenced ordinance.
- (5) Any person who fails to comply with this section and its time requirements shall be deemed guilty of a misdemeanor and subject to a maximum fine, per offense of \$250.00 and/or community service not to exceed 45 hours as determined by the municipal judge.

This ordinance shall take effect and amend forgoing Zoning Ordinance Chapter 12 of the Code Section 12-53 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Rocky Holliday and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Bill Otis, Mike Adams, Ashley Carter, Rocky Holliday,
Those opposed: None Sarah Zimmerman

Date of first reading: June 12, 2017

Date of second reading: July 10, 2017

APPROVED: William L. Otis, Jr.
WILLIAM L. OTIS, JR., MAYOR

DATE: 7/10/17

ATTEST: Diane Allen
DIANE ALLEN, TOWN CLERK

DATE: 7/10/17