

CHAPTER 95: PROPERTY MAINTENANCE

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ADMINISTRATION

§ 95.010 GENERAL

(A) **Title.** These regulations shall be known as the Property Maintenance Code of the City of Goose Creek, South Carolina, herein referred to as "this Code".

(B) **Scope.** The provisions of this Code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for sanitation, protection from the elements, safety from hazards, safe and sanitary maintenance, the responsibility of owners, parties of interest, operators and occupants, the occupancy of existing structures and premises, and for administration, enforcement and penalties.

(C) **Purposes.** This Code shall be construed to secure its expressed purposes, which is to ensure public health, safety and welfare in so far as they are affected by the continued maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of compliance as required herein.

(D) **Severability.** If a section, subsection, sentence, clause or phrase of this Code is, for any reason, declared invalid by a court of law, such decision shall not affect the validity of the remaining portions of this Code.

§ 95.011 APPLICABILITY

(A) **General.** The provisions of this Code shall apply to all matters affecting or relating to structures and premises, as set forth in **SECTION 95.010**. Where, in a specific case, different sections of this Code specify different requirements, the most restrictive shall apply.

(B) **Maintenance.** Except as specified herein, the owner, parties of interest or the owners designated agent shall be responsible for the maintenance of buildings, structures and premises.

(C) **Application of other codes.** Repairs, additions or alterations to a structure, shall be done in accordance with the procedures and provisions, of the applicable and current building and zoning Codes, enforced by the City of Goose Creek.

(D) **Existing remedies.** The provisions in this Code shall not be construed to abolish or impair existing remedies of the jurisdiction, or its officers or agencies, relating to the removal or demolition of any structure which is determined to be dangerous, unsafe or unsanitary.

(E) **Workmanship.** Repairs, maintenance work, alterations or installations, which are caused directly or indirectly by the enforcement of this Code, shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's

installation instructions and applicable building and zoning codes.

(F) **Historic buildings.** The provisions of this Code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are determined by the City to be safe and not detrimental to public health or welfare.

(G) **Referenced codes and standards.** The codes and standards referenced in this Code shall be those that are listed in **SECTION 95.040** and considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between provisions of this Code and the referenced standards, the provisions of this Code shall apply.

(H) **Requirements not covered by code.** Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this Code, shall be determined by the City.

§ 95.012 CODE ENFORCEMENT

(A) **General.** Code Enforcement is hereby created and the executive official in charge thereof is the Director of Public Works and shall hereinafter be referred to as the code official.

(B) **Appointment.** It shall be the duty of the code official, or a duly appointed and authorized representative(s), to determine whether any condition exists, or activity is being practiced which violates this Code.

(C) **Officers.** In accordance with the prescribed procedures of the City and, with the concurrence of the appointing authority, the code official shall have the authority to appoint code enforcement officers, inspectors, other related technical officers and other employees as deemed necessary.

(D) **Liability.** The code official, officer or employee charged with the enforcement of this Code, while acting for the City, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage occurring to persons or property as a result of an act required or permitted in the discharge of official duties as provided in the South Carolina Tort Claims Act.

§ 95.013 DUTIES AND POWERS

(A) **General.** The City or its representative shall enforce this Code and shall take necessary actions to ensure that violations are prosecuted in accordance with this Code. Should it become necessary, the City may remove such violation from the property and the cost for such removal shall become the responsibility of the owner / parties of interest. If such cost for removal shall go unpaid, the same shall become a lien upon the property and shall be collected in the manner prescribed for the collection of delinquent taxes. Responsible parties of interest shall also be liable for prosecution pursuant to this Code.

(B) **Rule-making authority.** The code official shall have authority, as necessary in the interest of public health, safety and general welfare, to adopt and promulgate departmental rules and procedures, to interpret and implement the provisions of this code, to secure the intent thereof, and to designate requirements applicable because of local climate or other conditions.

(C) **Inspections.** The cause for inspections shall be formed either by citizen complaints or city staff observations.

(D) **Right of entry.** The city, or its representative, shall have the right-to-enter onto any premise at any reasonable time for the purpose of making an inspection or investigation as required by this code, subject to the constitutional restrictions on unreasonable searches and seizures. If entry is refused, the City is authorized to pursue a search warrant as provided by law.

(E) **Identification.** City representatives shall carry proper identification when inspecting structures or premises in the performance of duties under this Code.

(F) **Notices and orders.** All notices and orders necessary to ensure compliance with this code shall be issued in accordance with this Code and the City's prescribed procedures and policies.

(G) **Records.** All official records of all business and activities pertaining to this Code shall be maintained in accordance with the City's prescribed procedures and policies.

§ 95.014 APPROVAL

(A) **Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this Code, the City shall have the authority to grant modifications for individual cases, provided the City shall first find that special individual reason makes the strict letter of this Code impractical and the modification is in compliance with the intent and purpose of this Code and that such modification does not lessen the requirements of this Code. The details of actions granting modifications shall be recorded and entered in the Code case files.

§ 95.015 VIOLATIONS

(A) **Unlawful acts.** It shall be unlawful for any owner / party of interest to be in violation of any of the provisions of this Code.

(B) **Notice of violation.** Notice of violations or orders shall be served in accordance with **SECTION 95.016** of this Code.

(C) **Prosecution of violation.** Any owner / party of interest failing to comply with a notice of violation or order served in accordance with **SECTION 95.016** of this Code shall be deemed guilty of a misdemeanor or civil infraction as determined by the City and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the City may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(D) **Violation penalties.** Any owner / party of interest, who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by State or local laws. Each day that a violation continues after due notice has been served may be deemed a separate offense.

(E) **Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the City from instituting appropriate action to restrain, correct or abate a violation or to stop an illegal act.

§ 95.016 NOTICES AND ORDERS

(A) **Notice to person responsible.** Whenever the City determines that there has been a violation of this Code or has grounds to believe a violation has occurred, notice may be given in the manner prescribed in **SECTION 95.016 (A) (1), 95.016 (A) (2)** and in accordance with policies and procedures prescribed in the City of Goose Creek Code Enforcement Standard Operating Procedures, to the owner / parties of interest responsible for the violation as specified in this Code. Notices for condemnation shall also comply with **SECTION 95.016** of this Code.

(1) **Form.** Such notice prescribed in **SECTION 95.016** of this code shall be in accordance with the following:

- a. Be in writing or verbally
- b. Include a description of the real estate sufficient for identification
- c. Include a statement of the violation or violations and why the notice is being issued
- d. Include a correction order allowing a designated time period to make the repair and improvements required to bring the property into compliance with the provisions of this Code.

(2) **Method of delivery.** Such notice shall be deemed to be properly delivered if one or more of the following methods is used:

- a. Delivered personally
- b. Posted in a conspicuous place in or about the property or structure affected by such notice
- c. Sent by certified or regular mail addressed to the owners / parties of interest last known address of record

(B) **Penalties.** Penalties for noncompliance with orders and notices shall be as set forth in **SECTION 95.015 (D)**

(C) **Transfer of ownership.** It shall be unlawful for the owner / parties of interest of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling, unit or structure to another until the provisions of the compliance order or notice of violation have been complied with or until such owner / parties of interest shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the City and shall furnish the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

§ 95.017 MEANS OF APPEAL

(A) **General.** There shall be no appeals to this Code except those provided by the courts.

DEFINITIONS

§ 95.020 GENERAL

(A) **Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the following meanings.

(B) **Interchangeability.** Words stated in the present tense include the future, words stated in the masculine gender include the feminine and neuter, the singular number includes the plural and the plural the singular.

(C) **Terms defined in other codes.** Where terms are not defined in this Code and are defined in the International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, international Mechanical Code or the International Electrical Code, such terms shall have the meanings ascribed to them as stated in those codes.

(D) **Terms not defined.** Where terms are not defined through the methods authorized by this **Section**, such terms shall have ordinarily accepted meanings such as the context implies.

(E) **Parts.** Whenever the words "dwelling unit," "dwelling," "premises," "rooming house," "rooming unit," "housekeeping unit" or "story" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof."

§ 95.021 DEFINITIONS

ABANDONED: To give up control of, or to cease from intending or attempting to protect, maintain or use any vehicle, property, premise or structure.

ABANDONED VEHICLE / PROPERTY: any derelict or wrecked property / vehicle which has been left abandoned or unprotected from the elements and shall include inoperative or partially dismantled vehicles, trailers, boats, machinery, appliances, furniture, construction materials and other similar articles used in or in conjunction with the home, property or vehicle.

ANIMAL WASTE: animal excreta, including cleanings from barns, stables, corrals, all pens, or conveyances used for stabling, transporting, or penning of animals, fowl or reptiles.

APPROVED: Approved by the City of Goose Creek.

ASHES: Any residue, hot or cold, that occurs and remains due to burning or other similar manner of combustion.

AUTOMOBILE GRAVEYARD: Any establishment which is maintained or used for buying or selling vehicle bodies, wrecked, scraped, ruined, or dismantled

vehicles or motor vehicle parts.

BLIGHT: Any one or more of the following conditions or activities:

1. Abandoned building or structure;
2. Attractive nuisance, as in any property in an unsecured state so as to potentially constitute an attraction to children, vagrants, criminals or other unauthorized persons or so as to enable persons to resort thereto for the purpose of committing an unlawful act;
3. A building or structure that is in a state of disrepair to the extent so as to pose a threat to public health, safety or welfare;
4. Property inadequately maintained to the extent so as to pose a threat to public health, safety or welfare;

BRUSH: All trees and plant material which is growing or has grown on any premise.

CODE OFFICIAL: The official who is charged with the administration and enforcement of this Code, or any duly authorized representative.

CONDEMN: To judge unfit for human occupancy or unsafe as to the extent as to pose a threat to public health and safety.

CONTRACTOR: Any individual(s) who provides a service and receives payment of any kind for said services rendered.

CITY: City of Goose Creek, South Carolina.

CITY COUNCIL: The duly elected officials of the City of Goose Creek, South Carolina.

COUNTY: Berkeley County, South Carolina.

DETERIORATION: The condition of a building, vehicle, public or private property or part thereof characterized by excessive holes, breaks, rotting, crumbling, peeling, rusting, neglect, lack of maintenance or other evidence of physical decay or excessive use.

DWELLING UNIT: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT: That portion of land or property reserved for present or future use by a person or agency other than the legal owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EMINENT DANGER: A condition which could cause serious or life-threatening injury or death at any time.

END OF WORK WEEK: Friday at 5:00PM

EXPOSED TO PUBLIC VIEW: Any premises or any part thereof, or any building or vehicle or any part thereof, which may be viewed from a natural position, including any lawful elevated location on either public or private property, using unassisted vision.

EXTERIOR PROPERTY: The open space on the premises and on adjoining property under the control of the owners or operators of such premises.

EXTERMINATION: The control and elimination of insects, rodents, vermin or other pests by eliminating their harborage places by removing or making inaccessible materials that serve as their food, by poison spraying, fumigating, and trapping or by any other legal pest elimination methods.

FEDERAL GOVERNMENT: The government of the United States of America.

GARBAGE: Any organic waste matter, both animal and vegetable, resulting from the handling, preparation, cooking and consumption of food items. Also, cans, bottles, rags, boxes, and other similar items and waste.

HIGHWAY: A way or place of whatever nature publicly or privately maintained and opened to use of the public or private sector for vehicular travel. Highway includes streets, roads, boulevards, courts, circles, alleys, ways and the like.

IMPOUND LOT: An area incident to the operation of a business within the City, used for the storage of vehicles from which no major parts have been removed, and which are capable of being made fully operational and used for storage of not more than nine (9) vehicles at any time.

INFESTATION: The excessive or abnormal presence of insects, rodents, vermin or other pests.

INOPERATIVE: Any vehicle or equipment located upon a public highway, street or street right-of-way, alley or on public or private property, which is wrecked, dismantled or inoperative so that said vehicle or equipment is incapable of independent operation.

INOPERATIVE MOTOR VEHICLE: A vehicle which cannot be driven upon the public streets as it was intended and designed to do for reason including but not limited to being unlicensed, wrecked, in a state of disrepair or incapable of being moved under its own power.

LITTER: Any unhealthy or unsanitary accumulation or placement of refuse, rubbish, garbage, grass, bushes, weeds, vines, leaves, etc. on private or public property.

NATURAL POSITION: Standing or sitting in a manner not requiring the assistance of additional apparatus, such as a ladder, to facilitate the viewing of an area or object.

OCCUPANCY: The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT: Any individual(s) living or sleeping in a building or having possession of a space within a building.

OPERATOR: Any person(s) who has charge, care or control of a structure, dwelling, premises or vehicle or any part thereof, whether with or without the knowledge and consent of the owner, including, if applicable, a lessee.

OWNER: Any person(s), agent, operator, firm, mortgage holder, part owner, tenant, corporation or any entity having a legal or equitable interest in the property or recorded in the official records of the State, County or municipality as holding title to the property or otherwise having control of the property including the guardian of the estate of any such person if ordered to take possession of real property by a court.

PARTIALLY DISMANTLED / WRECKED VEHICLE: Any vehicle from which major parts have been removed so as to render the motor vehicle inoperative or a wrecked vehicle where the damage to the vehicle has rendered the vehicle inoperative.

PARTIES OF INTEREST: Any person or entity who has interest of record in a premise or property or any who are in actual possession thereof.

PERSON: The word "person" shall extend and be applied to individuals, firms, partnerships, associations, organizations and bodies political and corporate, or any combination thereof.

PREMISES: The exterior of any building, structure or any parcel of land (whether improved or unimproved) including the area up to the paved edge of the road, street, curb or alley and including any adjacent sidewalks, easements and right-of-way.

PUBLIC PLACES: Any building, park, cemetery, school yard or open space owned by the public and used for the general welfare of the public.

PUBLIC PROPERTY: Lands and improvements owned by the Federal Government, the State, the County or the City, that include but are not limited to vehicles, buildings, grounds, parks, playgrounds, streets, sidewalks, parkways, easements, right-of-way and similar properties.

PUBLIC WAY: Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

PUBLIC WORKS DIRECTOR: The individual appointed by the City Administrator to carry out the functions of the City's Public Works Department.

REFUSE: Any unhealthy or unsafe accumulation of rubbish, litter, leaves, grass, bushes, vines, tree branches, garbage, waste, household items and building materials, etc., on private or public property.

REPAIR: The improvement, replacement or restoration, of an existing premise or vehicle to its original state with similar materials or parts to enhance its current value. The term "Repair" or "Repairs" shall not apply to any alterations such as moving of walls, additions of rooms or similar changes of construction.

RUBBISH: Combustible and noncombustible waste materials, except garbage, the term shall include the residue from the burning of wood, coal coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and other similar materials.

SCDHEC: South Carolina Department of Health and Environmental Control.

SCRAP PROCESSORS: Any person(s) engaged in the business of buying scrap iron and metals, including, but not limited to, vehicles, for the specific purpose of processing into raw material for melting purposes, and whose product is ferrous and non-ferrous scrap for shipment to steel mills, foundries, smelters and refineries, and having facilities and machinery designed for such processing.

STATE: The State of South Carolina.

STRICT LIABILITY OFFENCE: An offence in which the prosecution in a legal proceeding is not required to prove criminal intent as part of its case. It is enough to prove that the defendant either did an act that was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE: That which is built or constructed or any portion thereof.

TENANT: A person(s), corporation, partnership or group, whether or not legal owner of record, occupying a building or portion thereof.

UNASSISTED VISION: Vision without the assistance of magnification apparatus such as binoculars but not including prescription eyeglasses or photographic equipment.

VACANT: Not occupied or being used for its expressed intended purpose.

VEHICLES: Any device by which a person(s) or property may be propelled, moved or towed upon a highway, except a vehicle moved by human power or those used exclusively upon stationary rails or tracks.

VIEWABLE: That which can be viewed from public property, or private property if proper permission is granted to do so, from a natural position, including any lawful elevated position, with unassisted vision.

WEEDS: All uncultivated vegetative growth.

WORKMANLIKE: Executed in a skilled manner, generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD: An open space on the same lot with a structure.

GENERAL REQUIREMENTS

§ 95.030 GENERAL

(A) **Scope.** The provisions of **SECTION 95.030** through **SECTION 95.038** shall govern the minimum conditions and the responsibilities of persons for maintenance of structures and exterior property.

(B) **Responsibility.** The owner / parties of interest of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code.

(C) **Vacant structures and land.** All vacant structures and premises thereof or vacant land shall be maintained in a safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

§ 95.031 EXTERIOR PROPERTY AREAS

(A) **Sanitation.** All exterior properties and premises shall be maintained in a safe and sanitary condition.

(B) **Grading and drainage.** All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon. This requirement does not apply to approved water features, retention areas and reservoirs.

(C) **Sidewalks and driveways.** All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be maintained free from hazardous conditions.

(D) **Lawns.** All lawns shall be maintained free from grasses, weeds or other plant growth in excess of 10 inches tall, that portion of which equals at least 50% of the viewable ground cover thereon. Plant growth is defined as all grasses, annual plants and vegetation. This term shall not include cultivated flowers and gardens.

(E) **Landscaping.** The owner / parties of interest of property shall be responsible for the maintenance of all landscaping existing or which previously had been installed on any developed site within the City. All landscaping shall be maintained in a healthy and growing condition.

(F) **Trees / Shrubs.** All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation or otherwise considered dangerous to other plant life or property, shall be removed or appropriately treated. Dead or dying trees, shrubs and similar plant material shall be removed. All cuttings shall be removed from the site and properly disposed of. All limbs of trees which project over a public sidewalk or roadway must provide a minimum of eight (8) feet of vertical clearance above the sidewalk and fifteen (15) feet of vertical clearance above the roadway.

(G) **Grass cover required.** The exterior open space or yard around each structure shall be grassed and maintained or improved so as to provide for grass, plantings or other suitable ground coverings, such as rock gardens, to prevent soil erosion which may depreciate the value of or become detrimental to structures, the lot or adjacent lots or structures.

(H) **Rodent / Reptile / Insect infestation.** All structures and exterior property shall be kept free from rodent infestation. Where the excessive and/or abnormal presence of rodents, reptiles or insects is found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent and eliminate pest harborage and infestation.

(I) **Accessory structures.** All accessory structures, including detached garages, sheds, fences and walls, shall be maintained structurally sound and in good repair. Associated doors and gates, including operating systems, if provided, shall be maintained in proper operating condition.

§ 95.032 PROHIBITED VEHICLES

(A) **Wrecked, Dismantled, Inoperative or Unlicensed Motor Vehicle(s) prohibited.** No person **except** a duly licensed vehicle repair establishment shall for any purpose keep, retain, store or place for more than fourteen (14) days a vehicle(s) that has been declared by the City as wrecked, dismantled, inoperative, unregistered or unlicensed on any private residential or commercial property in the City except in a completely enclosed building or fenced area (minimum height of six (6) feet and constructed of a material and in a manner so that the vehicle(s) cannot be seen from adjacent properties) nor shall any person **except** a duly licensed vehicle repair establishment, repair, rebuild, dismantle or tear down more than one (1) vehicle at any time except in a completely enclosed building or fenced area (minimum height of six (6) feet and constructed of a material and in a manner so that the vehicle cannot be seen from adjacent properties). All repairs must be completed within thirty (30) days. No wrecked, dismantled, inoperative or unlicensed vehicle(s) shall be maintained on private residential or commercial property for the purpose of using parts or accessories **except** in a completely enclosed building or fenced area (minimum height of six (6) feet and constructed of a material and in a manner so that the vehicle cannot be seen from adjacent properties).

(B) **Wrecked, Dismantled, Inoperative or Unlicensed Motor Vehicle(s) permitted.** A duly licensed vehicle repair establishment may keep, retain, store or place at any time more than one (1) vehicle that has been wrecked, dismantled or determined to be inoperative or unlicensed on the premises provided the vehicles are actively being repaired and that the vehicles do not remain on the premises for more than thirty (30) days except in a completely enclosed building or fenced area (minimum height of six (6) feet and constructed of a material and in a manner so that the vehicle(s) cannot be seen from adjacent properties).

(C) **Maximum number permitted.** In all residential sections of the City, no

person shall keep more than three (3) wrecked, dismantled, inoperative or unlicensed vehicles; said vehicles shall be stored within a completely enclosed building or fenced area (minimum height of six (6) feet and constructed of a material and in a manner) away from public view.

(D) **Duty of owner / Parties of interest.** When any wrecked, dismantled, inoperative or unlicensed vehicle, as defined in **SECTION 95.032**, exists, the owner / parties of interest, as defined in this code, of the property on which said vehicle is situated, shall be responsible for removing, properly storing or having said vehicle otherwise brought into compliance with the requirements of this Code through private means and shall indemnify the City of all cost associated with the same.

(E) **Removal of Wrecked, Dismantled, Inoperative or Unlicensed Motor Vehicle(s).** Any vehicle that is deemed by the City as wrecked, abandoned, dismantled, inoperative or unlicensed pursuant to **SECTION 95.032** must be removed, properly stored or brought into compliance with the requirements of this Code as directed by appropriate notice pursuant to City policies.

(F) **Means of removal.** Removal of said vehicle(s) shall be by the property owner / parties of interest, as described in **SECTION 95.032 (D)**, provided proper notice is given pursuant to City policies.

(G) **Impound lots.** Any property within the City limits deemed by the City as being used as an "impound lot", as defined in this Code, must comply with the following conditions and requirements:

- (1) The property must be free of debris and must be regularly maintained in accordance with this Code
- (2) The property must be completely enclosed by a fence having a minimum height of six (6) feet; if the property adjoins a residential district, that section adjoining the residential district shall be completely enclosed with a fence having a minimum height of six (6) feet and constructed with a material and in a manner, that ensures that the interior of the property cannot be viewed from the residential district
- (3) The property may only be used for temporary storage of vehicles which major parts have not been removed and which are capable of being made fully operational
- (4) No more than nine (9) vehicles, as defined herein, may be stored on the property at any one time
- (5) Vehicle parts shall not be stored on the property
- (6) Vehicle parts shall not be taken or sold from vehicles stored on such a property
- (7) Vehicles stored on such a property must be parked neatly in rows and meet or exceed all City, County, State and Federal laws governing the same

§ 95.033 SWIMMING POOLS, SPAS AND HOT TUBS

(A) **Swimming pools.** Swimming pools, spas and hot tubs shall be maintained in a sanitary condition and in good repair and must meet enclosure requirements of the City Zoning Codes.

§ 95.034 EXTERIOR STRUCTURE

(A) **General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to public health, safety or welfare.

(B) **Protective treatment.** All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks, fascia and fences, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering treatment. Excessive peeling, flaking and chipped paint shall be eliminated, and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and watertight. All metal surfaces subject to rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust or corrosion. Excessive oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(C) **Structural members.** All structural members shall be maintained free from excessive deterioration.

(D) **Foundation walls.** All foundation walls shall be maintained plumb and free from excessive open cracks and breaks and shall be kept in such a condition so as to prevent the entry of rodents and other pests.

(E) **Exterior walls.** All exterior walls shall be free from excessive holes, breaks and loose or rotting materials and maintained weatherproof and properly surface coated where required to prevent deterioration and shall be kept in such a condition so as to prevent the entry of rodents and other pests.

(F) **Roofs and drainage.** The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drains, gutters and downspouts shall be maintained in safe and sound condition and free from obstructions. Roof water shall not be discharged in a manner that affects public health or safety.

(G) **Decorative features.** All cornices, belt cornices, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in safe and sound condition with proper anchorage and in a safe condition.

(H) **Overhanging extensions.** All overhanging extensions, including but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes and

exhaust ducts shall be maintained in a safe and sound condition and be properly anchored. When required, all exposed surfaces of metal or wood shall be protected from the elements and against excessive decay or rust by application of weatherproofing materials, such as paint or similar surface treatment.

(I) **Stairways, decks, porches and balconies.** Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto shall be maintained in a safe and sound condition.

(J) **Chimneys and towers.** All chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained in a safe and sound condition. All exposed surfaces of metal or wood shall be protected from the elements and against excessive decay or rust by application of weatherproofing materials, such as paint or similar surface treatment.

(K) **Handrails and guards.** Handrails and guards shall be maintained in a safe and sound condition.

(L) **Window, skylight and door frames.** Every window, skylight, and door frame shall be kept in a safe and sound condition and weather tight.

(M) **Glazing.** All glazing materials shall be maintained free from excessive cracks and holes.

(N) **Doors.** All exterior doors, door assemblies and hardware shall be maintained in a safe and sound condition.

(O) **Basement hatchways.** Every basement hatchway shall be maintained in a safe and sound condition and in a manner, that prevents the entrance of rodents, rain and surface drainage waters.

(P) **Guards for basement windows.** Every basement window shall be maintained to prevent the entrance of rodents, rain and surface drainage waters.

(Q) **Fences and Retaining Walls. (Sound condition, Painted or Treated)** All fences, retaining walls or similar structures shall be anchored in such a way that such devices remain firmly in the ground, and shall be constructed in a workmanlike manner so that such devices shall always be in a safe and sound condition. All fences, retaining walls and similar structures shall be erected parallel to property lines (if applicable), plumb, taunt, and the top portions being level. The bottom portion of such devices shall follow the contour of the ground. If any such fence, retaining wall or similar structure is found not to be in a sound or safe condition, it shall be removed, repaired or replaced.

§ 95.035 UNSAFE STRUCTURES

(A) **General.** When a structure is determined by the City to be unsafe or is determined unlawful, such structures may be condemned pursuant to the provisions of

this Code.

(B) **Unsafe structures.** An unsafe structure is one that is determined to be dangerous to life, health, property or safety of the public or the occupants of the structure because such structure is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(C) **Closing of vacant structures.** If a structure is vacant and determined unfit for human habitation or occupancy, and is not in danger of structural collapse, the City is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the City may cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal source.

(D) **Notice.** Whenever the City has condemned a structure under the provisions of this section, notice may be posted in a conspicuous place in or about the structure affected by such notice and served on the owner / parties of interest responsible for the structure in accordance with **SECTION 95.016 (A) (2)**. The notice shall be in the form prescribed in **SECTION 95.016 (A) (1)**.

(E) **Placarding.** Upon failure of the owner / parties of interest responsible to comply with the notice provisions within the time given, the City may post on the premises a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises or removing the placard.

(F) **Placard removal.** The City may remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the City shall be subject to the penalties provided by this Code.

(G) **Prohibited occupancy.** Any occupied structure condemned and placarded by the City shall be vacated as ordered by the City. Any person who shall occupy a placarded premise and any owner / parties of interest responsible for the premises who shall let anyone occupy a placarded premise shall be liable for the penalties provided by this Code.

§95.036 EMERGENCY MEASURES

(A) **Eminent danger.** When determined by the City, that there is eminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure, the City is hereby authorized and empowered to

order and require the occupants to vacate the premises forthwith. The City may cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the City of Goose Creek" It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(B) **Temporary safeguards.** Notwithstanding other provisions of this Code, whenever the City determines there is eminent danger due to an unsafe condition, the City may order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been Instituted and, shall cause such other action to be taken as the City deems necessary to meet such emergency.

(C) **Closing streets.** When necessary for public safety, the City may temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

(D) **Emergency repairs.** For the purposes of **SECTION 95.036**, the City may employ the necessary labor and materials to perform the required work as expeditiously as possible.

(E) **Cost of emergency repairs.** Cost incurred in the performance of emergency work shall be paid by the City but shall be a lien against the property which may be filed against the property and pursued by all available legal means. The legal counsel of the City may institute appropriate action against the owner of the premises where the emergency work was performed for the recovery of such costs including attorney's fees.

§ 95.037 DEMOLITION

(A) **General.** The City may order the owner of any premises upon which there is located any structure, which the City determines is so old, dilapidated or has become so out of repair as to be dangerous or unsafe and such that it is unreasonable to repair the structure, to demolish and remove such structure or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or demolish and remove at the owners' option or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

(B) **Notices and orders.** All notices and orders shall comply with **SECTION 95.016:**

(C) **Failure to comply.** If the owner / parties of interest of a premise fails to comply with demolition order within the time prescribed, the City may cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and

removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate which may be filed against the property. The legal counsel of the City may institute appropriate action against the owner of the premises where the work was performed for the recovery of such costs including attorney's fees.

§ 95.038 EXTERMINATION

(A) **Infestation.** All structures shall be kept free from rodent and insect infestation. All structures in which an excessive or abnormal presence of rodents or insects is found shall be promptly exterminated by approved procedures that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent future infestation issues.

(B) **Owner.** The owner / parties of interest of any infested structure shall be responsible for extermination within the structure prior to the structure being occupied.

(C) **Single occupant.** The owner / parties of interest of a one-family dwelling or of a single-tenant non-residential structure shall be responsible for extermination of the premises.

(D) **Multiple occupancy.** The owner / parties of interest of a structure containing two or more dwelling units, multiple occupancy, a rooming house or a non-residential structure shall be responsible for extermination regardless if infestation is caused by failure of an occupant to prevent such infestation.

REFERENCES

§ 95.040 REFERENCES

CODE OF ORDINANCES- CITY OF GOOSE CREEK SOUTH CAROLINA
(9 April 1985)

CITY OF GOOSE CREEK CODE ENFORCEMENT STANDARD OPERATING
PROCEDURES (18 FEBRUARY 2005)

2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

2015 INTERNATIONAL FUEL GAS CODE

2015 INTERNATIONAL MECHANICAL CODE

2015 INTERNATIONAL ELECTRICAL CODE

2015 INTERNATIONAL ZONING CODE

2015 INTERNATIONAL FIRE CODE

2015 INTERNATIONAL PLUMBING