

ARTICLE I: ADMINISTRATION

Section 11-1: TITLE, SCOPE, PURPOSE, AND ENACTMENT

Section 11-1.1

TITLE

Provisions in the following sections shall be known as "General Appearance And Sanitation Code" of the City of Goose Creek, hereinafter referred to as this "Code". This code shall include articles governing:

- Administration Authority, Enforcement, Right to Enter, Penalties
- Definitions
- Community Appearance Standards
- Adoption of Rules & Regulations of the South Carolina Department of Health and Environmental Control
- Solid Waste Collection & Disposal
- Sewage Disposal
- Junked, Wrecked, Dismantled, Inoperative, Unlicensed, Unregistered, or Tax Delinquent Vehicles
- Nuisances

The City of Goose Creek shall hereinafter be referred to as "the City".

Section 11-1.2

SCOPE

The provisions of this Code shall govern the minimum conditions and standards for the maintenance, repair or the removal of vehicles, the disposal or collection of solid waste, the disposal of sewage, the prohibition of nuisances, as well as, the maintenance, repair or construction of the exterior of structures (both principal and accessory) within the corporate limits of the City, including all zoning classifications and districts as follows:

Section 11-1.3: PURPOSES

Section 11-1.3.1

COMMUNITY APPEARANCE

The adoption and purpose of the City's Community Appearance Standards is:

1. To establish a minimum standard of upkeep and care of property in order to protect, promote, and improve the public health, safety, morale, convenience, order, appearance, prosperity, and general welfare of the City through the enforcement of good and sound community appearance standards through the proper maintenance of properties.
2. To prevent negligence which can lead to blight, decay, depreciation of property value(s), and a loss of community pride and confidence.
3. To keep the City clean, healthy, beautiful, and to prevent future sanitation and health problems from occurring.

4. To fix the responsibilities of owners, operators, and occupants of properties and premises inside the City.
5. To provide for the administration, enforcement, and penalties of this Code.

Section 11-1.3.2

ADOPTION OF RULES AND REGULATIONS OF SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL BOARD

The adoption and purpose of rules and regulations of South Carolina Department of Health and Environmental Control is to establish a minimum criteria governing, but not limited to the sanitary conditions for eating and drinking establishments, food processing plants including dairy products, that will promote the safe and sanitary handling of the products being produced, processed packaged or delivered; and to protect the health and general welfare of the citizens of the City.

Section 11-1.3.3

SOLID WASTE

The adoption and purpose of the Solid waste article is to:

1. To establish a minimum standard for the collection and disposal of the City's solid waste in order to promote, protect, and improve the public health through the enforcement of good and sound collection and disposal methods and to prevent public nuisances, eyesores, and unhealthy conditions;
2. To prevent negligence which can lead to decay, depreciation of property values, and loss of community pride and confidence;
3. To keep the City clean, healthy, beautiful, and to prevent future sanitation and health problems from occurring;
4. To affix the responsibilities of owners, operators, and occupants of the homes, businesses and vacant properties.

Section 11-1.3.4

SEWAGE DISPOSAL

The adoption and purpose of the Sewage Disposal article is to establish a minimum standard for the collection and disposal of the sewage within the City; to promote and enhance the sanitary conditions of the City and to prevent the presence and spread of infectious diseases caused by the improper disposal of sewage.

Section 11-1.3.5

JUNKED, ABANDONED, WRECKED, DISMANTLED, INOPERATIVE, UNLICENSED, UNREGISTERED OR TAX DELINQUENT VEHICLE(S)

The adoption and purpose of this article is a result of City Council determining that the accumulation and storage of junked, abandoned, wrecked, dismantled inoperative, unlicensed, unregistered or tax delinquent vehicles, or parts thereof, on private or public property, including highways, creates a condition that reduces property values, promotes blight and deterioration, invites plundering, creates fire hazards, constitutes an attractive nuisance creating a hazard to the health and safety of its citizens and the

general public, creates a harborage for rodents and insects and is injurious to the health, safety and general welfare of the City. Therefore the presence of a junked, abandoned, wrecked, dismantled, inoperative, unlicensed, unregistered, or tax delinquent vehicles or parts thereof, on private or public property including highways, except as expressly hereinafter permitted, is hereby declared to constitute a public nuisance which may be enforced as such in accordance with the provisions of this Code.

Section 11-1.3.6 NUISANCES

The adoption and purpose of the Nuisance Article is to establish a minimum standard to reduce or eliminate public nuisances so as to:

- Promote pride within the community,
- Enhance the City's goal as a livable community,
- Fix the responsibilities of property owners, agents and tenants
- Retain or enhance property values.

Section 11 - 1.4: APPLICATION OF CODE

Section 11-1.4.1 COMMUNITY APPEARANCE

Any repairs or alterations or changes to a structure, premise, or property of therein, which may be caused directly or indirectly by the enforcement of this Code shall be done in accordance with the procedures and provisions of the Southern Standard Building, National Electrical and Plumbing Codes, latest edition, and any other applicable Codes as used by the City.

Section 11-1.4.2 ADOPTION OF RULES AND REGULATIONS OF THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

Any establishment that engages in the preparation, processing, packaging, manufacturing, delivery, or serving of any food and/or drink shall perform said function in accordance with the provisions of this Code and all laws of the County, State and Federal Governments governing the same.

Section 11-1.4.3 SOLID WASTE

Any collection or disposal of solid waste which may be caused directly or indirectly by the enforcement of this Code shall be done in accordance with the procedures and provisions of the Federal Government, the State, Berkeley County and any other applicable Codes as used by the City.

Section 11-1.4.4 SEWAGE DISPOSAL

Any collection, treatment, or disposal of sewage which may be caused directly or indirectly by the enforcement of this Code shall be done in accordance with the procedures and provisions of the City, County, State and Federal Governments and any other applicable codes as used by the City.

Section 11-1.4.5

JUNKED, ABANDONED, WRECKED, DISMANTLED, INOPERATIVE, UNLICENSED, UNREGISTERED, OR TAX DELINQUENT VEHICLE

Any collection or disposal of a junked, abandoned, wrecked, dismantled, inoperative, unlicensed, unregistered, or tax delinquent vehicle which may

be caused directly or indirectly by the enforcement of this Code shall be done in accordance with the procedures and provisions of the Federal

Government, the State, Berkeley County and any other applicable codes as used by the City.

Section 11-1.4.6

NUISANCES

As a result of a routine complaint from any citizen or an inspection by the City, a nuisance is found to exist, it shall be considered a violation of this Code and shall be corrected upon notification pursuant to the provisions of this Code and any other laws of the City, County, State or Federal Governments.

Section 11-1.5

AUTHORITY

It shall be the duty of the Public Works Director or his duly authorized representative(s) to determine whether any condition exists or activity is being practiced which violates this Code. The cause for inspections shall be formed either by citizen complaints or staff observations.

Section 11-1.6

ENFORCEMENT

The City or its representative shall enforce this Code and shall take necessary actions to ensure that all violations are corrected to comply with this Code. Should it become necessary, the City will remove such violation from the property and the cost for such removal, shall become the responsibility of the property owner. 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. The property owner shall also be liable for prosecution pursuant to this Code. Section 11-1.7

Section 11-1.7

RIGHT TO ENTER

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.

**Section 11-1.8
PENALTIES**

Any person who is convicted of violating any provision of this Code shall be guilty of a misdemeanor and shall be punished as provided in Section 1-6 as amended of the City's Code of Ordinances unless otherwise specified. All persons shall be required to correct or remedy any violation or defects within a reasonable time when not specified. Each day that the protested conditions are maintained shall constitute an additional offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions by court order.

**Section 11-1.9
APPEALS**

There shall be no appeals to this Code except those provided by the courts.

**Section 11-1.10
VALIDITY AND SEPARABILITY**

If any section or provision of this Code shall be declared invalid by a court of law, such declaration shall not affect any other section or provision of this Code which shall continue in full force and effect and to this end, the sections and provisions of this Code are hereby declared severable.

**Section 11-1.11
COMPLIANCE WITH OTHER ORDINANCES**

No license or permit issued by any Municipal, County, State or Federal agency or any certification of compliance, shall constitute a defense against any violation of any other local ordinance of law that is applicable to any structure or premises, lot, property, or vehicle; nor shall any provision herein relieve any owner, operator or occupant from complying with any such other provision, nor any official of the City from enforcing any such other provision.

**Section 11-1.12
PERSONS RESPONSIBLE**

Any person with direct or indirect control over the premises is responsible for compliance with this Code whether that person is an owner, tenant, occupant, agent, independent contractor or manager.