

ARTICLE II. RULES OF CONSTRUCTION AND DEFINITIONS

Section 11-2. RULES OF CONSTRUCTION

In the construction of this Code, the provision in Section 1-2 of the City's Code of Ordinances shall be observed. In addition, definitions found in this section shall be applicable to this section of the Code only.

Section 11-2.1 DEFINITIONS

ABANDONED: means to give up control of, or to cease from intending or attempting to protect, maintain, or use any vehicle, property, premise or junk within the City.

ABANDONED VEHICLE/PROPERTY: means any derelict or wrecked property/vehicle having no value other than nominal salvage value, if any, and which has been left abandoned or unprotected from the elements and shall include inoperative or partially dismantled vehicles, trailers, boats, machinery, refrigerators washing machines, plumbing fixtures, furniture and other similar articles used in or in conjunction with the home, property or vehicle.

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

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

AUTOMOBILE GRAVEYARD: means any establishment which is maintained or used for buying or selling vehicle bodies, wrecked, scrapped, ruined or dismantled vehicles or motor vehicle parts.

BLIGHT: any property on which there exists any one or more of the following conditions or activities is a blighted property or blight:

- (a) abandoned building or structure;
- (b) attractive nuisance, as in a property which is in an unsecured state so as to potentially constitute an attraction to children, a harbor for vagrants, criminals or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful act;
- (c) a building or structure which is in a state of disrepair;
- (d) property inadequately maintained.

BRUSH: shall include all trees and plant material which is growing or has grown on the premise.

CODE ENFORCEMENT OFFICER: means the appointed representative(s) of the City to administer this Code.

CONTAINER: means the 95-gallon or 65-gallon roll-cart refuse container provided by the City of Goose Creek.

CONTRACTOR: means any individual(s) who provides a service for an owner and receives payment of any kind for any service rendered.

CITY: means the City of Goose Creek, South Carolina.

CITY COUNCIL: means the duly elected officials of the City.

COUNTY: means Berkeley County, South Carolina.

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

DRY TRASH: means all weeds, limbs, brush, roots, leaves, grass clippings, straw, logs, stumps etc.

EXPOSED TO PUBLIC VIEW: means any premises or any part thereof, or any building or vehicle or any part thereof which may be viewed by the public from ground level or from the first floor of any building or other structure.

EXTERIOR OF THE PREMISES: means open space on the premises outside of any building or vehicle thereon.

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

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

GARBAGE: means any organic waste matter, both animal and vegetable. Also small cans, bottles, rags, boxes, small dead animals and any other similar waste.

HIGHWAY: means a way or place of whatever nature, publicly or privately maintained and opened to the use of the public or private sector for vehicular travel. Highway includes streets, alleys, right-of-ways, or paths.

IMPOUND LOT: means an area incident to the operation of a business within the commercial district of 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 as defined herein, at any time.

INFESTATION: means the abnormal presence of insects, rodents, vermin, or other pests on the premise which constitutes a health hazard.

INOPERATIVE: means any vehicle or property that is not functioning in a manner consistent with its intended use.

INOPERATIVE VEHICLE: means any vehicle located upon a public highway, street or street right-of-way, alley, or on public or private property which is junked, wrecked, dismantled or inoperative for a minimum period of seven (7) calendar days so that said vehicle is incapable of independent operation upon any highway or property or any vehicle deemed a nuisance.

JUNK: means any article, property, or vehicle that has been declared as an abandoned or inoperative and has no value other than nominal salvage value.

JUNKYARD: means an establishment which is maintained or used for storing, buying, or selling junk or an automobile graveyard and shall include garbage dumps, sanitary landfills and scrap processors.

LITTER: means any unpleasant, unhealthy, or unsanitary accumulation or placement of refuse, rubbish, garbage, the growth of grass, bushes, weeds, vines, leaves, etc. on private and/or public property.

NUISANCE: means any act, thing, occupation, condition, or use of property, whereby:

- The health or life of any individual may be endangered, injured, impaired, causes any disease or;
- Substantially annoys, injures, or endangers the comfort, health repose or safety of the individual or;
- Renders the public insecure in life and or use of property or;
- Greatly offends the morals or decency of individuals or;
- Unlawfully and or substantially interferes with, obstructs or renders dangerous for passage on or across any street, highway, alley, navigable waterway or other public way.

OPERATOR: means any person(s) who has charge, care or control of a 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: the word "owner", applied to a premise or vehicle, and shall include any mortgage holder, responsible party, part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, of the whole or of a part of such premise or vehicle.

PARTIALLY DISMANTLED/WRECKED VEHICLE: means 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: means all owners and or associations who have interest of record in a premise, and any who are in actual possession thereof.

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

PREMISES: "premises" shall mean the exterior of any building, structure, vehicle (whole or part) 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 sidewalk.

PUBLIC PLACES: the term "public place" shall mean any building, park, cemetery, school yard or open space owned by the public and used for the general welfare of the public.

PUBLIC PROPERTY: means lands and improvements owned by the Federal Government, the State, the County, or the City, and includes but is not limited to vehicles, buildings, grounds, parks, playgrounds, streets, sidewalks, parkways, rights-of-ways, and other similar property.

PUBLIC WORKS DIRECTOR: means the individual appointed by the City Administrator to carry out the function of the City's Public Works Department as described in Section 2-220 and 2-230 of the City Code.

REFUSE (Trash): means any ashes, litter, leaves, grass, brushes, vines, tree branches, large pieces of metal (old appliances, vehicles, and tin) and wood with no piece exceeding four (4") inches in diameter and four (4') feet in length and having a weight less than fifty (50) pounds.

REFUSE: (unsightly litter and growth); any unsightly, unhealthy or unsanitary accumulation of litter and growth of grass, bushes, weeds, vines, leaves, etc., on both private and 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 alteration, i.e. moving of walls, additions of rooms, similar change of construction etc.

ROLL-CART – HOUSEHOLD REFUSE: the refuse container provided by the City of Goose Creek with a 95-gallon or 65-gallon capacity.

ROLL-CART – YARD DEBRIS: the yard debris container available for purchase from the City of Goose Creek with a 95-gallon or 65-gallon capacity.

RUBBISH: means any non-putrescent (not undergoing rotting or decomposition of organic material) solid waste, excluding ashes, consisting of both combustible and waste, such as paper, cardboard, waste metal, tin cans, brush, leaves, vines, wood, glass, bedding, crockery, and similar materials.

SCDHEC: means the South Carolina Department of Health and Environmental Control.

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

SOLID WASTE: shall include but not be limited to garbage, rubbish, litter, dry trash, white goods, ashes and refuse.

STATE: means the State of South Carolina.

TRANSLUCENT: shall mean a bag or container's ability to transmit or diffuse light so that objects within cannot be seen clearly

VEHICLES: means any device by which a person 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.

WEEDS: shall include all rank or uncultivated vegetable growth or matter which may give rise to unpleasant odors or obnoxious vapors, or which is liable to become an unwholesome or decaying mass or breeding place for mosquitoes and vermin.

WHITE GOODS: means any large appliance such as but not limited to, stoves, refrigerators, air conditioners, etc.

END OF WORK WEEK: means Friday at 5:00 P.M.