

Sponsor(s) : County Council
First Reading : March 1, 2022
Committee Referral : N/A
Committee Consideration Date : N/A
Committee Recommendation : N/A
Second Reading : April 5, 2022
Public Hearing : May 3, 2022
Third Reading : May 3, 2022
Effective Date : Immediately

I, Kaela Brinson, Clerk to Council,
certify that this Ordinance was
advertised for Public Hearing on
April 14, 2022.

ORDINANCE NO. 22-O-03

COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT FOR COLLETON COUNTY

[TO AMEND TITLE 9 – PUBLIC PEACE AND WELFARE, CHAPTER 9.02 – PUBLIC NUISANCE GENERALLY AND CHAPTER 9.04 – LITTERING, TO COINCIDE WITH THE TEN YEAR UPDATE OF THE COLLETON COUNTY COMPREHENSIVE PLAN.]

WHEREAS:

1. Title 9 – Public Peace and Welfare, Chapter 9.02 – Public Nuisance Generally and Chapter 9.04 – Littering, of the Colleton County Code of Ordinances were reviewed by the Planning Commission on August 24, 2020 and October 26, 2020; and
2. Chapters 9.02 and 9.04 were edited for legal sufficiency, redundancy and/or unnecessary words and phrases, and updated and clarified simplified phrases in order to be current with the accepted American Planning Association (APA) principles and practices; and
3. County Council believes it is in the best interest of the citizens of Colleton County to approve the changes set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY COLLETON COUNTY COUNCIL, DULY ASSEMBLED, THAT:

1. **Title 9 – Public Peace and Welfare, Chapter 9.02 – Public Nuisances Generally**, of the Colleton County Code of Laws (the same being inclusive of and one with the Originating and Amending Ordinances), and all subparagraphs thereof, is hereby amended in its totality to read as follows:

CHAPTER 9.02. - PUBLIC NUISANCES GENERALLY

Sections:

- 9.02.010. - Public nuisances—General.**
- 9.02.020. - Definitions.**
- 9.02.030. - Unlawful property nuisance.**
- 9.02.040. - Public nuisance declared.**
- 9.02.050. - Responsibility for property maintenance.**

- 9.02.060. - Right to enter property to inspect or abate.**
- 9.02.070. - Abatement procedure/compliance order.**
- 9.02.080. - Voluntary correction.**
- 9.02.090. - Demolition permit fee waiver.**
- 9.02.100. - Mobile home moving permit—Fee waived for salvage.**
- 9.02.110. - Abatement by county.**
- 9.02.120. - Penalties.**
- 9.02.130. - Exemptions.**
- 9.02.140. - Means of appeal.**

9.02.010. - Public nuisances—General.

Public nuisances can substantially degrade residential and business areas, decrease property values, and promote rural blight and deterioration and often violate health and sanitation requirements. This law has been adopted for Colleton County residents to provide for steady and consistent improvement of the general health, safety, and welfare, in the unincorporated areas of Colleton County.

9.02.020. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abatement means action to terminate, stop, cease, repair, rehabilitate, replace, demolish, remove, correct or otherwise remedy or cure nuisance activity, conditions, premises or conduct by such means as to bring the nuisance into compliance with the codes of Colleton County and/or the State in such a manner as is necessary to promote the general health, safety and welfare of the public.

Compliance officer means the county planning and development director (hereinafter director), zoning administrator, code enforcement officer, litter control officer, floodplain administrator, sheriff's deputies, and fire marshal, or anyone qualified that the director designates to act in such capacity on his behalf, or anyone designated as such by the county administrator.

County means Colleton County, South Carolina.

Minor means any person under 18 years of age, and who is not emancipated.

Motor vehicle means every vehicle that is self-propelled, to include automobiles, airplanes, motorcycles, watercraft, tractor trailer rigs, heavy equipment, farm tractors and equipment, and/or other such mechanized devices.

Owner means the owner or owners of any premises or real or personal property.

Premises means any location, building or structure, lot, parcel, property, land or portion thereof.

Public nuisance means any condition, activity or device located on premises, which constitutes a health or safety hazard and/or which is or may be unsafe or dangerous or which may reasonably be expected to attract children to the premises and risk injury by their playing with, in, or on it.

Responsible party or person means any individual, business or entity responsible for creating, causing, maintaining or permitting the nuisance activity, premises, condition or conduct; and includes, but is not limited to, the property owner, tenant, lessee, possessor, or occupant, the president or officers of a corporation or business.

9.02.030. - Unlawful property nuisance.

It is unlawful for any person owning, renting, leasing, occupying, managing or having charge of, or possessing any real property in the county to maintain such premises in such a manner that any of the following conditions exist thereon:

A. An abandoned house or manufactured home such as:

1. An unoccupied and unsecured house or manufactured home that allows access into the dwelling;
2. A partially set up, reconstructed, or demolished house or manufactured home where work is abandoned for 120 consecutive days;
3. A damaged or partially destroyed house or manufactured home not removed or repaired within 120 days after the damage or destruction;
4. A house or manufactured home that is extensively deteriorated, does not have approved and/or operable utilities, such as water, and/or septic service.

B. Property maintained in a condition so defective, unsightly, or in a state of such deterioration, disrepair or neglect that it causes a health, safety or fire hazard or a public nuisance to children or others such as:

1. The accumulation of dirt, litter, refuse, trash or debris in carports, parking areas, driveways, front, side, or rear yards, vestibules, doorways, roofs, or on an adjoining sidewalk, easement, access-way, or alley;
2. Storage of personal property (other than items designed for outdoor use) in the front, side, or rear yards visible from public roads or neighboring properties, including, but not limited to, abandoned, unregistered, inoperative, broken, dismantled, or discarded motor vehicles or parts, building materials not currently being used for the construction of improvements on the site,

appliances, household furniture or furnishings, equipment, tools, machinery, garbage bags or cans, boxes, trash, debris, or rubbish.

- C. Any type of vegetation which is rotted, dead, decayed, diseased, overgrown, or likely to fuel a fire, harbor rats, snakes, insect infestations, or other vermin, or which is detrimental to neighboring properties and property values. This subsection shall be applicable to every property where any type of building, facility or other structure is located, regardless of the condition of the structure. This subsection shall not apply to:
 - 1. Property in its natural, undisturbed and unimproved state, or property devoid of any structures that hasn't been improved or occupied for at least 15 years;
 - 2. Property used primarily for agricultural purposes;
 - 3. Natural wildlife areas, open fields, swamps, marshes, glades, or other similar types of natural settings.
- D. The discharge of sewage or untreated wastewater into any body of water, yard, open ditch, storm sewer or onto any abutting property.
- E. A motor vehicle that is unlicensed, unregistered, inoperable, abandoned, and/or derelict upon any street, road, thoroughfare, or property.
- F. Any clothing, linen, towels, laundry, rugs, mattresses, and other similar material hung, placed, or attached to power lines, trees, bushes, fences, buildings, railings, or walls and visible from public roads or neighboring properties.
- G. Any violation of the zoning codes, such as using property in violation of the provisions of any zoning district, conditional use, special exception, planned development, variance or any other land use entitlement or permit.
- H. Any house, manufactured home, property, condition or activity which is deemed a "public nuisance" as defined by the State of South Carolina.

9.02.040. - Public nuisance declared.

Any property found to be in violation of any of the provisions of section 9.02.030 is declared a public nuisance and shall be abated pursuant to the procedures set forth herein which shall not be exclusive nor limit or restrict the county from enforcing other county ordinances or abating public nuisances in any manner provided by law.

9.02.050. - Responsibility for property maintenance.

Every responsible party who owns or occupies property within the county is required to maintain such property in a manner that does not violate the provisions of this chapter.

9.02.060. - Right to enter property to inspect or abate.

Any compliance officer of the county must secure permission from the property owner to inspect or abate any premises whenever necessary to secure compliance with, or prevent violation of, any provision of this chapter. Where a violation is in clear view from a public road or any surrounding property, on which permission has been granted to enter, the compliance officer may issue a summons for the violation.

9.02.070. - Abatement procedure/compliance order.

- A. Whenever the compliance officer determines that any property is maintained in violation of any of the provisions of this chapter, they shall serve upon one or more of the responsible parties a written compliance order citing:
 - 1. The date and location of the violation(s);
 - 2. The section(s) of the code(s) violated and a brief description of the violation(s);
 - 3. The actions required to correct the violation(s) or abate the condition(s);
 - 4. The time period after which the county will enter the property to abate the condition(s).
- B. The time period for abatement shall be at least 30 days, unless determined by the compliance officer that the conditions constitute an imminent threat to the public health, safety or welfare. The compliance officer may grant an extension of up to 180 days upon good cause, provided the responsible party signs a written agreement to voluntarily abate the nuisance by a date certain. The zoning board of appeals may grant a one-time extension of up to 180 additional days to the time provided by the compliance officer, where the board deems such extension is warranted.
- C. Service under this section may be accomplished by direct personal delivery to such persons, but if the whereabouts of the responsible persons cannot be ascertained through reasonable diligence, the serving of the compliance order may also be made by publishing it once each week for two consecutive weeks in a newspaper of general circulation in the county and notice shall be posted on the property and allowed to remain for up to 30 days and shall indicate the nature of the violation, identification of the property affected, with date of posting, and contact information.

9.02.080. - Voluntary correction.

- A. Applicability. This section applies when the county compliance officer determines that a violation of county codes or regulations has or is occurring.
 - 1. General. The compliance officer shall pursue a reasonable attempt to secure voluntary correction by causing written notice to be given to the violator where possible, or to the owner of record at the assigned E-911 address, explaining the violation(s), the abatement required with deadline, and the appeals process.

2. Issuance of voluntary correction agreement. A voluntary correction agreement may be entered into between the violator and the county, acting through the director.
- B. Content of voluntary correction agreement. The voluntary correction agreement is a contract, between the county, represented by the director, and the violator, under which the violator agrees to abate the violation within a specified time and according to specified conditions. The timeframe shall be as short as possible, not to exceed 180 days, and may have measurable milestones at a maximum of 45-day intervals. The voluntary correction agreement shall include the following:
1. The name and address of the violator;
 2. The E-911 street address, property/parcel TMS number, or a description sufficient for identification of the premises, house, manufactured home, property, or land upon or within which the violation(s) has or is occurring;
 3. A description of the violation(s) and a reference to the provision of the county Code section(s) or regulation(s) which have been violated;
 4. The necessary corrective action(s) to be taken, and a date certain by which correction(s) must be completed, phased if necessary, with defined requirements for task completion at specific intervals;
 5. An agreement by the violator that the county may abate the violation(s) and recover its costs and expenses and a monetary penalty pursuant to this chapter from the violator, if the terms of the voluntary correction agreement are not met; and
 6. An agreement that by entering into the voluntary corrective agreement, the violator waives the right to an administrative appeal of the violation(s) and/or the required corrective action.
- C. Right to a hearing waived. The violator waives the right to an administrative appeal of the violation(s) and the required corrective action upon entering into a voluntary corrective agreement.
- D. Abatement by the county. The county may abate the violation(s) if the terms of the voluntary corrective agreement are not met, in accordance with section 9.02.110.

9.02.090. - Demolition permit fee waiver.

The demolition permit fee charged by Colleton County is waived for any responsible party who is correcting a condition citable under this chapter.

- A. Any county resident who loses a house or mobile home in a fire may dispose of the fire debris at the Colleton County Landfill at no charge. This fee waiver does not apply to any commercial building or structure.
- B. Any metal from the burned house or mobile home must be separated from the debris, and if brought to the landfill, be deposited in the metal recycling area.
- C. No hazardous materials or regular household waste/garbage may be included with the fire debris.

9.02.100. - Mobile home moving permit—Fee waived for salvage.

The delinquent tax office is authorized to waive the permit fee for moving a mobile home for the purpose of salvage. Such permits shall be issued only when the mobile home is being dismantled in a salvage operation, and the permit shall include the name, address, and telephone number of the salvage company; the address where the mobile home is being moved from; the name, address, and telephone number of the current owner of the mobile home; and any other information required by the delinquent tax office.

9.02.110. - Abatement by county.

- A. Should any property owner, agent or occupant fail to comply with an order to abate violations of such property, the county reserves the right, in addition to other penalties, to cause by proper means such property to be abated of violations. The cost of such abatement shall be billed to the owner, agent, or occupant to be paid in full within 30 days. In addition, an administrative fee of \$50.00 or 15 percent of the actual cost of abatement, whichever is greater, shall be applied to the cost. Whenever said bill has not been paid within the prescribed time period, the county shall apply all costs as a lien on the property; and/or such costs shall be applied to the annual tax levied and shall be collected by the county in addition to annual property tax; or collection shall be achieved by other means, as may be available, and provided by law.
- B. Payment of such liens placed by the county against abated property may be negotiated by the director when such negotiation is deemed to be in the best interest of the county. The director shall be authorized to waive up to 50 percent of the lien within the first five years after the recording of the lien, and up to 25 percent within five to seven years after recording. No negotiation shall occur for any lien waivers beyond seven years from recording. Such negotiated liens must be paid in full.

9.02.120. - Penalties.

- A. Any person who violates any provision of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than \$500.00 per violation and/or be imprisoned for not less than two days nor more than 30 days. No fine imposed pursuant to this chapter may be suspended to less than \$250.00. No sentence of

imprisonment imposed pursuant to this chapter may be suspended. Any punishment including fines imposed pursuant to a criminal conviction for a violation of this chapter shall be separate and apart from any inspection costs and cleanup or abatement costs incurred by the county in abating said nuisances; and shall be in addition to all other remedies available to the county under state law and local ordinances.

- B. Each day that the nuisance continues to exist shall constitute a new and separate violation.

9.02.130. - Exemptions.

- A. The motor vehicle provisions of this chapter shall not apply to the following:
 - 1. Authorized salvage yards and other related businesses duly operated, regulated, and in compliance with all other county ordinances.
 - 2. Vehicles which bear current "antique" license plates as issued by the state department of motor vehicles.
 - 3. Any motor vehicle which is in relatively good condition, can be moved under its own power, and can pass a vehicle safety inspection, yet does not have current license plates due to owner's illness or other reasonable and verifiable causes as determined by the director or his designated compliance officer.
 - 4. Motor vehicles properly stored within an enclosed building or an opaque fence or enclosure, so as not to be visible, as determined by the director or his designated compliance officer.
 - 5. Where a permit has been attained from the planning and development department for vehicles for sale, when such vehicles are operable but don't bear current license plates (such permit should not exceed 120 days).
 - 6. Authentic/verifiable stock, dirt track, or drag race cars or other relevant race cars or motor vehicles which are being used on a regular basis, are able to move under their own power, and have been determined by the director or his designated compliance officer to be true race cars or motor vehicles.
- B. This chapter shall not be applicable to farm storage vessels, such as school buses or storage containers, when such containers are screened from public view, used primarily for agricultural purposes, and are clearly used regularly.

9.02.140. - Means of appeal.

- A. The zoning board of appeals, established in section 14.08-7.010, shall hear all appeals originating from actions taken pursuant to this chapter.
- B. Application for appeal. Any person directly affected by a decision of the compliance officer or a notice or order issued under this chapter shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 30 days after the day the decision, notice, or order was served at the property, to the person responsible, or to the owner. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted hereunder have been incorrectly interpreted, the provision(s) of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means, or that the strict application of any requirement of this Code would cause undue hardship.
- C. Notice of meeting. The board shall hear the appeal at their next regularly scheduled monthly meeting, where enough time exists to publish the required public notice in advance of the meeting.
- D. Open hearing. All hearings before the board shall be open to the public and be published in a newspaper of general circulation 15 days prior to the hearing. The appellant, the appellant's representative, the compliance officer, and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a majority of the five member board.
- E. Procedure. The board shall adopt and make available to the public, through the secretary, procedures under which a hearing shall be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received, as determined by the director.
- F. Board decision. The board may uphold, modify, or reverse the decision of the compliance officer or grant a one-time extension of no more than 180 days additional to the days already granted by the compliance officer for abatement. Such decisions shall only be made by a concurring vote of a majority of the board members present.
- G. Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the director.
- H. Administration. The director shall cause the compliance officer to take immediate action in accordance with the decision of the board.
- I. Court review. Any person, whether or not a previous party of the appeal, shall have the right to appeal to the circuit court.

J. Stays of enforcement. Appeals of notice and orders (other than imminent danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

2. **Title 9 – Public Peace and Welfare, Chapter 9.04 – Littering**, of the Colleton County Code of Laws (the same being inclusive of and one with the Originating and Amending Ordinances), and all subparagraphs thereof, is hereby amended in its totality to read as follows:

CHAPTER 9.04. - LITTERING

Sections:

9.04.010. – Definitions.

9.04.020. – Control of litter.

9.04.030. - Enforcement.

9.02.040. - Penalties.

9.04.010. - Definitions.

For the purposes of this chapter, the following terms, phrases, or words shall have the meanings stated herein unless their use in the text of this chapter clearly demonstrates a different meaning.

Compostable trash means every waste accumulation of biological vegetation that is free of dirt, rocks, non-compostable trash and bulky items.

Construction site means any property upon which a new building is being constructed, or repairs, additions or the demolition of an existing structure is taking place.

Cover means any device, equipment, container, tarp, chain, rope, wire, or line used to prevent any part of a vehicle's load from shifting or escaping in any manner from the vehicle.

Derelict property means any property which has been left abandoned or unprotected from the elements, including but not limited to, wrecked or partially dismantled motor vehicles and parts, trailers, machinery, appliances, building materials, and other articles.

Elements means the natural elements which are a reasonably foreseeable means of carrying litter from one place to another. Elements shall include, but not be limited to, wind, fire, rain, water current and animals.

Garbage, litter and/or refuse means garbage, litter, rubbish, refuse, and trash collectively which includes any man-made, nature-made, animal or vegetable waste byproducts of any kind or nature whatsoever that can decompose, rot and/or decay, that attracts vermin and/or insects and creates a public health, safety, or fire hazard, or any other kind of a public nuisance.

Handbill means any paper, poster, circular, coupon, advertisement, or pamphlet to be circulated for the purpose of making some announcement, except newspapers.

Loading or unloading dock means any dock or area used in the process of receiving, shipping, and/or transporting goods, wares, commodities, and persons.

Newspaper means any newspaper of general circulation, as defined by general law, and in addition thereto, any periodical or current magazine regularly published with not less than four issues per year and sold or distributed to the public.

Person means any individual, owner or lessee, firm, business, partnership, sole proprietorship, association, corporation, company, not-for-profit organization, or any governmental entity.

Private property means any land, dwelling, building or other structure belonging to, or restricted for the use or enjoyment of particular persons. Public property means any land, property, street, road, highway, alley, public right-of-way or easement, median, sidewalk, path, bridge or other way, building, or structure in which the public has a right to use, whether publicly or privately owned.

9.04.020. - Control of litter.

- A. Littering prohibited. It is unlawful for any person to throw, discard, or deposit garbage, compostable trash, or derelict property in any manner or amount in or upon any property, highway, street, body of water, ditch, creek, park, etc., within the county except in receptacles authorized and provided for that purpose.
- B. Loads on vehicles. No person shall drive, move, park, or in any other way operate any vehicle within the county unless said vehicle is loaded so as to prevent any of its load from shifting or escaping therefrom.
 - 1. Any vehicle transporting or hauling material such as garbage, compostable trash, or derelict property or any other material that could escape the vehicle, must be covered and/or secured with a tarp or other appropriate cover or tie-down, as defined herein.
 - 2. Any driver or other person in direct control of any vehicle from which any materials or objects have escaped shall immediately cause said material to be cleaned up at his/her own expense.
 - 3. When any litter is thrown or discarded from any type of motor vehicle the operator or owner, or both, shall be deemed in violation of this section.
- C. Handbills. No person shall cause any handbill to be thrown, scattered, deposited or distributed upon any public or private motor vehicle, sidewalk, street, lane, alley, ground, pole, tree, fence, structure or building within the county., It shall not be unlawful to

distribute handbills to private residences, offices, or mercantile establishments if they are handed in at the door or securely fastened to reasonably prevent them from being scattered about by the elements or as otherwise specifically allowed by other ordinance(s).

D. Maintenance of property and receptacles.

1. All persons shall store their garbage in leak-free, covered containers to eliminate the elements from spreading the debris and unsightly garbage about the property owned, managed, or controlled by them. Spillage and overflow around containers shall be cleaned up as quickly as possible after it occurs.
2. No person shall sweep or deposit any accumulation of garbage or derelict property into any gutter, street, parking lot, water body or waterway, or other property within the county.
3. All construction and demolition sites shall maintain on-site receptacles throughout the duration of the work being performed as a means to secure any loose debris, building material wastes, and other garbage and derelict property from being scattered about the site, if the materials are not otherwise properly disposed of on a regular basis.
4. It shall be the responsibility of every owner, manager, or occupant of any public or private property or place to provide, and maintain adequate and suitable receptacles and/or containers capable of containing any garbage or derelict property until proper final disposal is accomplished.
5. Any unauthorized accumulation of uncontained garbage, compostable trash, and/or derelict property on any public or private property is a violation of this chapter.
6. The owner, operator, or manager of a loading or unloading dock shall constantly maintain the dock area in such a manner that litter will be prevented from being carried by the elements to adjoining premises, streets, etc.
7. The owner, manager, or operator of any commercial-residential, commercial, or industrial public place, shall constantly maintain the premises clean of all litter and take measures to contain said litter on the property. It is unlawful to permit the uncontained accumulation of litter thereon or the dispersion of litter therefrom.

E. Convenience sites and dumpsters.

1. Except where specifically authorized by formal council agreement, Colleton County convenience sites are restricted for use by Colleton County residents only. Any non-resident caught in the act or caught through prima facie evidence shall be found in violation of this chapter.

2. Any person who improperly uses any Colleton County dumpster by placing the wrong materials not specifically called for disposal in said dumpster, such as placing metal in a “plastics only” dumpster, is in violation of this chapter.
3. Any person who shall deposit trash on the ground instead of in a dumpster is in violation of this chapter.
4. All commercial developments shall use their assigned garbage collection containers and maintain them in a clean, and aesthetically pleasing condition. All such containers shall be located on a site as and where approved by the collection agency, which shall be outside of any public right-of-way.
5. It is unlawful for any person to allow a refuse container to remain unemptied for more than ten consecutive days.

A violation of this section may be abated by the county; provided, however, that the container in question may be impounded and a lien may be executed against any property held in connection with the business of collecting refuse, waste, or garbage by the person alleged to be in violation of this section.

9.04.030. - Enforcement.

- A. All county animal, environmental, and litter control officers, and code enforcement officers, and all certified sheriff's deputies are considered compliance officers and they are empowered to enforce the provisions of this chapter.
- B. Only Sheriff's deputies can execute warrants for arrest, but all compliance officers are empowered to issue citations, and other processes issued by the courts in enforcing the provisions of this chapter. In addition, the mailing by certified return-receipt-requested mail of such process to the violator's last place of residence shall be deemed as personal service upon the person charged.
- C. Prima facie evidence.
 1. If the throwing, dumping, or depositing of litter was done from a motor vehicle, except a motor bus, it shall be prima facie evidence that the throwing, dumping, or depositing was done by the driver of the motor vehicle.
 2. If discarded litter can be identified with a person's name, it shall be prima facie evidence that the throwing, dumping, or depositing was done by the person whose name appears in the discarded litter.

9.04.040. - Penalties.

- A. Any person who violates any provision of this chapter is guilty of a misdemeanor and, upon conviction, must be fined not more than \$500.00 and/or be imprisoned for a period of not less than two days nor more than 30 days. No fine imposed pursuant to this section may be suspended to less than \$250.00. No sentence of imprisonment imposed pursuant to this section may be suspended.
- B. In addition to the fine or term of imprisonment, the court may also impose eight hours of litter-gathering labor for a first conviction, 16 hours for a second conviction, and 24 hours for a third or subsequent conviction, all under the supervision of the court; or such other term of litter-gathering labor or public service as the court deems appropriate.
- C. Any punishment including fines imposed pursuant to a conviction for a violation of this chapter shall be separate and apart from any cleanup or abatement costs incurred by the county in abating said littering; and shall be in addition to all other remedies available to the county under state law and local ordinances.

3. Severability:

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the invalidity does not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and to this end, the provisions of this Ordinance are severable.


4. Conflict:


Provisions in other County Ordinances, Resolutions, policies, or by-laws in conflict with this Ordinance are hereby repealed.

ATTEST:

SIGNED:


Kaela Brinson, Council Clerk


Steven D. Murdaugh, Chairman


Approved as to Form
Sean Thornton, County Attorney

COUNCIL VOTE: UNANIMOUS
OPPOSED: