

AN ORDINANCE

AN ORDINANCE TO REPEAL ORDINANCE NO. 5087 AND TO IMPOSE CRIMINAL PENALTIES FOR VIOLATIONS OF THE PROPERTY MAINTENANCE CODE OF THE COUNTY OF GREENVILLE

BE IT ORDAINED BY THE GREENVILLE COUNTY COUNCIL:

Section 1. Ordinance No. 5087, which revised Section 106 of the Property Maintenance Code of the County of Greenville SC, hereinafter referred to as “this code,” is hereby repealed. Upon the repeal of Ordinance No. 5087, Section 106 *Violations* shall read as follows:

“Section 106 Violations:

106.1 Unlawful Acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

106.2 Notice of Violation. The code official shall serve a notice of violation or order in accordance with Section 107.

106.3 Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor. If the notice of violation is not complied with, the code official may institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. 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 and shall be collected in the same manner as County taxes are collected.

106.4: Violation Penalties. (1) Any person who shall violate the provisions of this code or fail to comply therewith, or with any of the requirements thereof, shall be guilty of a misdemeanor, punishable within the jurisdictional limits of magistrate’s court. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of Violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure, or premises, or to stop an illegal act, conduct, business or utilization of the building, structure, or premises.”

Section 2. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Effective Date. This ordinance shall take effect upon adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2021.

ATTEST:

Regina McCaskill
Clerk to Council

_____, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator