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Beulah H. Roberts

CLERK OF COURT
CLARENDON COUNTY, SC
ORDINANCE # 2018-01

2018 APR 16 AM 11:40

BEULAH H. ROBERTS
CLERK OF COURT
CLARENDON COUNTY, SC

AN ORDINANCE OF THE COUNTY COUNCIL OF CLARENDON, SOUTH CAROLINA TO AMEND THE COUNTY'S UNIFIED DEVELOPMENT CODE, ORDINANCE # 2011-05.

WHEREAS, Article VIII of the South Carolina Constitution and Section 4-9-30 of the Code of Laws of South Carolina (the Home Rule Act) gives Clarendon County broad authority to provide a variety of services and functions within its jurisdiction, including but not limited to, utility planning, programming and construction, transportation planning, programming and construction, land use planning and regulation, economic development planning and programming, and similar activities and services; and,

WHEREAS, Title 6, Chapter 29, et seq., Code of Laws of South Carolina (SCCL), the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, hereinafter referred to as Section 6-29, provides the statutory enabling authority for Clarendon County to engage in planning and regulation of development within its jurisdiction; and,

WHEREAS, the County Council adopted a Comprehensive Plan (Ordinance 2008-12) on January 12, 2009, pursuant to the requirements of Section 6-29-310, et seq., SCCL; and,

WHEREAS, the Planning Commission (PC) is the designated local planning commission pursuant to the requirements of Section 6-29-310, et seq., SCCL; and,

WHEREAS, Section 6-29-710 SCCL and Sections 91 (maps) and 92 (text) of the Clarendon County Unified Development Code (UDC) provide the authority and process for Clarendon County to prepare, periodically amend and enforce land use regulations that are consistent with and implement the latest version of the adopted Comprehensive Plan; and,

WHEREAS, the Clarendon County Planning Commission (PC) reviewed the proposed text amendments on December 19, 2017 and made findings of fact that the proposed amendments conform to the requirements of the Comprehensive Plan and recommended the County Council adopt this Ordinance; and,

WHEREAS, the County Council conducted a public hearing on February 12, 2018 as required by Section 91 (maps) and 92 (text) of the UDC to consider the PC recommendation and comments from the interested public and subsequently voted to adopt this Ordinance,

NOW THEREFORE, BE IT ORDAINED that the UDC of Clarendon County, South Carolina is hereby amended as described in Exhibit A in conformance with the requirements stated above.

PROBATION DEPARTMENT
CLARENCE STREET

2018

SEVERABILITY

Should any section or provision of this ordinance be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the Ordinance as a whole, or any part thereof, which is not specifically declared to be invalid or unconstitutional.

EFFECTIVE DATE

This ordinance shall take effect immediately upon adoption.

First Reading: January 8, 2018

Second Reading: February 12, 2018

Third Reading: March 12, 2018

Public Hearing: February 12, 2018

ADOPTED THIS 12th Day of February, 2018

COUNTY OF CLARENDON, SOUTH CAROLINA



Dwight Stewart, Chairman

ATTEST:


Dorothy Levy, Clerk to Council



ARTICLE III PERMITTED, CONDITIONAL AND ACCESSORY USES

SECTION 33 - SPECIAL USE REQUIREMENTS

Section 33.14 Junk, salvage and wrecking yards

The following NOTE shall be amended following Item (j):

*****NOTE***** Failure to comply with any of the above requirements is a misdemeanor punishable by a fine of \$500 or 30 days **of community service** (replaces “in jail”) for each day of non-compliance.

This same note shall be amended following Item (I) at the end of Section 33.25 Vehicle Towing/Impoundment and Recovery Yards.)

ARTICLE X CODE COMPLIANCE PROCESS

SECTION 103 - PENALTIES

Section 103.01 General provisions

- (a) Any violation of a provision or requirement of this code shall be a misdemeanor punishable by a fine of \$500 or 30 days **of community service** (replaces “in jail”) for each violation, each day the violation continues shall constitute a separate offense;
- (b) Any person who fails to appear before the magistrate, without having first posted a bond as may be required, is guilty of a misdemeanor and, upon conviction, shall be fined \$500 or **ordered to perform community service** (replaces “imprisoned”) for up to 30 days for each offense;
- (c) Any person who fails to appear before the magistrate, without having first been granted a continuance by the Court, is guilty of a misdemeanor, and upon conviction, shall be fined \$500 or **ordered to perform community service** (replaces “imprisoned”) for up to 30 days for each offense;