

ORDINANCE

AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH PROVIDING THAT CHAPTER 23, ZONING ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, BE AMENDED BY REVISING ARTICLE VII, GENERAL AND SUPPLEMENTAL REGULATIONS, OF SAID CODE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA, IN COUNCIL DULY ASSEMBLED, THAT:

Section 1:

That Article VII, General and Supplemental Regulations, be amended by adding Section 23-129.3 as follows:

Sec 23-129.3 Property and Building Maintenance and Appearance

A. Purpose:

City Council finds that poorly-maintained structures contribute to blight-like conditions, depress values of surrounding properties, and can encourage the harboring of pests and other nuisance conditions. Further, City Council deems it to be in the best interests of the City to establish and enforce reasonable minimum standards for the maintenance and appearance of structures.

B. Applicability:

The provisions of this article shall apply to all structures, whether permanent, portable, accessory, or mobile, including residential and commercial through out the city. The owner or the owner's designated agent shall be responsible for the maintenance of buildings and structures. The Zoning Administrator shall have the authority for enforcement of compliance.

C. Standard of Maintenance:

- (1) Exterior siding and roofing shall be properly maintained and provide the building with a weather-resistant exterior wall envelope.
- (2) Window frames and glass shall be reasonably weather tight and shall have panes without cracks or holes and the sash shall fit properly. Missing or broken panes shall be promptly repaired. Windows and any other structural openings in the building shall not be boarded up for a period exceeding thirty (30) calendar days in any given calendar year.

- (3) Doors providing entrance and exit for any structure shall fit properly and have locking devices capable of being operated from the inside and outside of the building. Barrel bolts and hasps with padlocks are not adequate for primary doors.
- (4) All screens on windows and doors shall be maintained in good condition. This subsection shall not be construed as requiring to furnish, or install screens on any windows or doors.
- (5) Fences, swimming pools, and accessory buildings shall be maintained in a reasonably good condition, free of excess amounts of missing, broken, dilapidated or nonfunctional elements, or safety hazards.
- (6) Platforms, landings, decks and steps shall be provided, where appropriate, to serve exits and shall be maintained in safe condition.
- (7) Exterior awnings and/or shutters shall be maintained in a reasonably good condition, free of excess amounts of missing, broken, dilapidated, or nonfunctional elements.

D. *Enforcement:*

- (1) Responsibility for the administration of this section of the ordinance shall be with the Zoning Administrator.
- (2) The Zoning Administrator shall provide, via Certified Mail or hand-delivery to the property owner, a detailed account of the nature and extent of the deficiencies of any structure in significant violation of 6-154 (A). The property owner shall have not more than ninety (90) days from receipt of the letter to correct all such deficiencies. In the event the certified letter is not accepted, the ninety (90) day period shall commence on the date of the U.S. Postal Service's last failed attempt at delivery. Failure to remedy the deficient conditions shall be deemed a violation of this Ordinance.
- (3) Notice to repair. Upon the failure, neglect or refusal of any such owner to correct the deficiencies identified by the Zoning Administrator, the City Manager or his designee may, by order in writing, direct that such condition be abated. The order may be served upon the property owner personally or may be delivered by certified mail.

E. *Appeals:*

Appeals of the decision of the Zoning Administrator's regarding this section may be made on forms prescribed by the Planning and Development Department, using the process delineated in Article X , Board of Zoning Appeals, of this ordinance.

F. *Violations:*

Violations of this ordinance shall be deemed a violation of the City Code of Ordinances of the City of North Myrtle Beach, and as such shall be punishable as provided in section 1-6 of the North Myrtle Beach Code of Ordinances. Each day of non-compliance *may* be deemed a separate offense.

Section 2:

That the North Myrtle Beach City Council has provided the required public notice of this request and has held the necessary public hearings in accordance with applicable State Statutes and City Ordinances.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2009.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

FIRST READING: _____

SECOND READING: _____

REVIEWED:

City Manager