



AGENDA
LAURENS COUNTY PLANNING COMMISSION
April 18, 2017
Hillcrest Square Administration Building
5:30 P.M.

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes of Previous Meetings
 - a) 3/21/17 PC Regular Meeting
6. New Business
 - a) Training/Oath of Office
7. Old Business
 - a) Mft Homes/Sub Regs Language Discussion
 - b) Tower Ordinance Revisions
8. Public Comment- Fifteen (15) Minute Period for Public Comment (*Required to sign in prior to the meeting*)
9. Commission Member Comments
10. Adjournment



MEETING MINUTES- DRAFT
LAURENS COUNTY PLANNING COMMISSION
March 21, 2017
Hillcrest Square Administration Building
5:30 P.M.

1. **Call to Order-** All Planning Commission members were present except Commissioner Grant.

4. **Approval of Agenda:** Commissioner Copeland made a motion to approve the agenda, Commissioner Tribble seconded the motion and the motion passed 6-0.

7a. **New Business: Brock and Scott Appeal:** The appellant representative explained that the parcel was subdivided by the family who subsequently took out a mortgage on the property and then defaulted. The surrounding property was sold by the family. A 20 foot easement was all that was granted to the parcel in question. The appellant was representing the owner (mortgage holder) who was requesting a variance from the 50 foot easement requirement such that they could record the parcel and then sell it to a new owner.

Commissioner Copeland made a motion to grant the variance request. Seconded by Commissioner Peden and approved 6-0.

7b. **Tower Ordinance Revisions.** No action was taken however there was significant discussion on the wording of this new ordinance.

7c. **Discussion on next ordinance to work on:** The PC agreed that they would postpone discussion on further ordinances to work on until the County Council completed third and final reading of the two ordinances pending (830 and 831).

With no public comment the meeting was adjourned.

Subdivision Regulations were discussed in further detail. During the discussion, Commissioner Copeland made a motion to have the minimum lot size at 10,000 sf. Commissioner Tribble seconded the motion and the motion failed 3-4 (Chairwoman Weeks, Commissioners Peden and Copeland for).

10. **Adjournment:** With no further business, Commissioner Brewington made a motion to adjourn, seconded by Commissioner Peden and passed 7-0.

**LAURENS COUNTY
RESIDENTIAL SUBDIVISION ORDINANCE**

(ORD#831)

.....

AN ORDINANCE TO REGULATE THE PLANNING, DESIGN AND CONSTRUCTION OF RESIDENTIAL SUBDIVISIONS IN LAURENS COUNTY, SOUTH CAROLINA. SUCH REGULATION IS IN PURSUANCE OF THE GENERAL WELFARE, MORALS AND SAFETY OF THE CITIZENS OF LAURENS COUNTY.

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SECTION 1 PURPOSE, AUTHORITY AND JURISDICTION

1.1 Purpose

- a.) The process of converting raw land into building sites is one of the most important factors in the growth of Laurens County. There are few activities that have a more lasting effect upon our community's environment and appearance. Once land is developed, streets and buildings constructed, the basic character of this addition to the County has become firmly established. It is then virtually impossible to change its character without substantial expense, such as encountered in redevelopment projects.
- b.) The people of the County, as a whole, have a legitimate interest in the development of subdivisions and these regulations should provide an instrument of control. The ultimate purpose of subdivision regulations is the same as that of all planning regulations, namely, the creation of better communities for its people. Specific objectives of these subdivision regulations are as follows:
 - 1.) To encourage well planned subdivisions by establishing adequate standards for construction and design;
 - 2.) To discourage inferior developments which might adversely affect the local tax base;
 - 3.) To secure the rights for the public with respect to streets and utilities;
 - 4.) To improve land records by establishing standards for surveys and plats;
 - 5.) To provide common grounds of understanding between the developer and local government agencies;
 - 6.) To safeguard the interests of the homeowners, the public, the Developer and the various local government agencies.

1.2 Authority

- a.) This regulation is enacted pursuant to the authority granted to the county under Title 4 and Title 6 of the South Carolina Code of Laws, 1976 as amended.
- b.) Hereafter, no plats of a subdivision of land within the area described herein shall be filed or recorded until submitted to and approved by the Laurens County Planning Commission or its Designated Official, and such approval is entered in writing on the plat.
- c.) Any existing subdivision plat not recorded in the Laurens County Clerk of Court Office at the time of the adoption of these regulations and containing undivided land whose owners desire to subdivide or re-subdivide must comply with these regulations unless specific variance is granted by the Laurens County Planning Commission.

1.3 Jurisdiction

The regulations herein shall apply to all of the unincorporated areas within Laurens County, and to the corporate limits of such municipalities in the County as may designate the County Planning Commission as the official planning commission of such municipality by the agreement specified in 6-29-320, Code of Laws of South Carolina 1976 as amended.

SECTION 2 DEFINITIONS

The following words are used throughout these regulations:

Block - The distance as measured along a street between intersecting streets from centerline to centerline; and, where context requires, it also means the enclosed area within the perimeter of the street or property line enclosing it.

Commission – The Laurens County Planning Commission

Designated Official - Employee of Laurens County designated by the Laurens County Administrator to perform certain duties on behalf of the Commission.

Drainage Course - A water course or indenture (ditch) for draining of surface water.

Easement - An easement is a grant by a property owner for the use of a strip of land for access to a parcel of land or for the purpose of constructing and maintaining certain public utilities. These can include, but are not limited to sanitary sewers, water mains, electric lines, telephone lines and cables, storm sewers or storm drainage courses and gas lines.

Engineer, Registered Professional - A person who is registered by the State of South Carolina, pursuant to Chapter 22, Title 40, Code of Laws of South Carolina, 1976, as amended.

Flag Lot - A lot which is connected by a private drive to a public, county, or private road, typically situated behind another lot that abuts the same public, county, or private road.

Individual Waste Disposal System - A system which will treat and dispose of domestic sewage from a single house or residence without creating a nuisance or a potential health hazard.

Lot - A portion of a subdivision or other parcel of land (fronting on or having access to a public road) that is intended as or may become a unit for transfer of ownership or for development or both. The word "lot" includes the words "tract" and "parcel".

Manufactured or Mobile Home Park - Any parcel of land where three or more mobile and/or manufactured homes are placed for a period of time exceeding 30 days, or where three or more lots are set aside for rental or lease basis and which may include buildings, structures, vehicles or enclosures used or intended for use as part of such Manufactured or Mobile Home Park.

Map - A drawing graphically indicating the location of one or more parcels of land.

Parcel, Landlocked – Any tract of land that does not border on a street.

Plat - A map showing a plan for the subdivision of land which is submitted for approval and is entered in final form for recording.

Recreational Vehicle - A motor vehicle designed for recreational use and/or temporary residence by an individual or family.

Re-subdivision - A combination or re-combination of previously recorded lots or tracts of contiguous land for the purpose of increasing or decreasing building sites.

Set back - Set back is the building set back line of distance measured from the nearest street or road, right-of-way or water shore line.

Shall - Throughout this text, the word "shall" will be interpreted as mandatory, not directory.

Street - A public way set aside for vehicular traffic affording primary access to abutting property. This excludes private drives serving only one parcel of land.

Street, Arterial - A street designed to carry through traffic or to carry intra-county traffic. Arterials are characterized as having access control, channelized intersections, restricted parking and signalization. The concept of service to abutting land is subordinate to the provision of travel service.

Street, Collector - A public way designed primarily to connect arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry a significant volume of traffic having neither origin nor destination on the street, and which is designed as a collector street.

Street, Residential - A public or private way set aside for vehicular traffic affording primary access to abutting property. This excludes private drives serving only one parcel of land.

Surveyor, Registered Land - A person who is registered by the State of South Carolina as a registered Land Surveyor, pursuant to Chapter 22, Title 40, Code of Laws of South Carolina, as amended 1976.

Subdivider - Any person, firm, corporation or other legal entity subdividing land within the jurisdiction of this Ordinance.

Subdivision, Minor - All division of a tract or parcel of land into two (2) or more but less than ten (10) lots, building sites, or other division for the purpose, whether immediate or future, of sale, lease or building development, and does not involve a new street or a change in existing streets.

Subdivision, Major - All division of a tract or parcel of land into ten (10) or more lots, building sites, or other division for the purpose, whether immediate or future, of sale, lease or building development, or any division of a tract or parcel of land involving a new street or a change in existing streets. Provided, however, that if within a period of five (5) years from the date of recording the plat, any adjoining and/or contiguous property is developed pursuant to a general scheme and plan of improvement which is intended to enhance the value of each lot, such shall constitute a "major subdivision" under these regulations, notwithstanding the fact that the lots are sold by reference to individual plats.

Uniform Standards - As outlined and defined in Title 40, Chapter 29, of the Code of Laws of South Carolina, 1976, as amended; regulations and recommendations of the South Carolina Manufactured Housing Board; and, the latest edition of the southern Building Codes of Congress, 1991, as amended, as applicable hereto. Included, but not limited to the following: Standard Building Codes, Standard Excavation and Grading Code, Standard Mechanical Code, National Electrical Code, Standard Plumbing Code and the Standard Fire Code.

SECTION 3 GENERAL SUBDIVISION REQUIREMENTS

- 3.1 Survey Requirement
All subdivision of a tract or parcel of land into two (2) or more lots, building sites, or other division for the purpose, whether immediate or future, of sale, lease or building development, must have a survey performed by a Registered Land Surveyor and the resultant plat submitted to the Designated Official. Plats should meet the minimum “Standards of Practice Manual for Surveying in South Carolina” as approved by the S.C. Department of Labor, Licensing and Regulation.
- 3.2 Recording Requirement
Once approved, a plat shall be recorded by the subdivider in the office of the Clerk of Court for Laurens County within a period of twelve (12) months from the date that approval is granted. After the expiration of twelve (12) months, said approval shall be void.
- 3.3 Access Requirement
All newly created parcels of land must be situated on or have direct access to a road meeting the provisions of the current Laurens County Road Standards Ordinance, or a road maintained by a public entity. The width of the access will be at least as wide as the minimum width of the parcel as described in Section 7.
 - a.) Exception
Any landlocked parcel in existence at the time of the adoption of this ordinance may obtain access to each proposed subdivided parcel by way of an exclusive right of way or easement fifty (50) feet in width for ingress and egress to a road meeting the provisions of the current Laurens County Road Standards Ordinance, or a road maintained by a public entity. The right of way or easement shall be conveyed to and retained by the parcel owner and will be transferred to subsequent parcel owners.
 - b.) Spacing
No more than two road access points will be allowed within 200 feet.
- 3.4 Subdivision Names
Proposed subdivision names shall not be similar, phonetically or by spelling to any existing subdivision, nor historic homes, monuments or sites as listed on the State and National Historic Register.
- 3.5 Inspection
All new land developments are subject to periodic inspection to ensure that the minimum design standards in these regulations are complied with. Inspection personnel shall be employed or retained by the County.

SECTION 4 MINOR SUBDIVISION PROCEDURES

- 4.1 Plat Submittal
Any subdivider of a parcel that meets the definition of a minor subdivision shall submit a valid plat as described in Section 3.1, to the Designated Official for their review. The Designated Official may approve the plat without the review of the Commission if the subdivision meets the standards set forth in Sections 6, 7, 8, and 9.
- 4.2 Combining Parcels
Any intended combining of parcels, whether immediate or future, must be clearly stated on the submitted plat for the review and approval of the Designated Official.

4.3 Commission Review

The Designated Official may, at their discretion, require the sub divider to submit the plat of a minor subdivision to the Commission for their review and approval regardless if the subdivision meets the standards set forth in Sections 6, 7, 8, and 9.

SECTION 5 MAJOR SUBDIVISION PROCEDURES

5.1 Plan Submittal - Informational Content

Prior to making any physical improvements on the potential major subdivision site, the developer shall submit a plan conforming to the design standards here in and additional information to include:

- a.) Location of subdivision on a map indicating surrounding area at an appropriate engineer's scale sufficient to locate the subdivision.
- b.) Map of development at a scale of not less than 1 inch = 200 feet and not more than 1 inch = 50 feet.
- c.) Name of subdivision, name and address of owners, the engineer or surveyor and the owner of abutting property and/or properties.
- d.) Boundaries of area to be subdivided with bearings and distances.
- e.) Land use of land to be subdivided plus that of the abutting property and/or properties.
- f.) Acreage of land to be subdivided.
- g.) Contour maps, if deemed necessary by the Commission, shall be submitted, provided the existing contour maps are available from which to secure this information.
- h.) The location of existing and proposed easements with their location widths and distances.
- i.) Location of existing water courses, culverts, railroads, streets, bridges, etc.
- j.) Utilities on and adjacent to the tract showing proposed connections to existing utility systems.
- k.) Proposed lot lines, lot numbers, dimensions, road easements, and lot acreage.
- l.) North Arrow.
- m.) A drainage plan showing proposed structures, pipe sizes, drainage easements, pipe locations where water will be taken off street and drainage calculations to substantiate the drainage plan. (See Laurens County Erosion and Sediment Control and Stormwater Management Ordinance). Plan to be designed and inspected by properly licensed engineer commissioned by the subdivider.
- n.) Any deed restriction or restrictive covenants

5.2 Plan Procedures

- a.) Copies of the plan of the proposed development, shall be presented to the Designated Official at least fourteen (14) working days prior to the next scheduled Laurens County Planning Commission meeting.
- b.) Prior to the review of the plan by the Commission, the Designated Official shall review same with appropriate comments indicating recommendations of approval or disapproval, and if recommending disapproval, shall express reasons in writing.
- c.) The action of the Commission and the date of notification to the subdivider shall be recorded in the minutes of the Commission meeting.
- d.) A copy of this decision shall be forwarded to the subdivider by mail, with specific changes required, if any. A copy of the corrected plan shall be resubmitted to the Designated Official for approval.

- e.) Any interested party may appear and be heard at the Commission meeting. The Commission may require Public Notice be given by the subdivider prior to the scheduled Commission meeting on the proposed subdivision.
- f.) Approval of the plan shall be noted and certified by the Designated Official on the authorization of the Commission. The date of the Commission's action shall also be recorded on the plat and the subdivider shall be notified within ten (10) days of the Commission's actions.
- g.) Approval of the plan constitutes general approval of the street alignments, dimensions, layout, shape of lots and proposed road right-of-way. Review of appropriate governmental agencies having jurisdiction and subsequent approvals must be obtained. Any changes made to the plat as a result of this process shall be submitted to the Designated Official for approval. The Designated Official may require the subdivider to resubmit the plat to the Commission for any changes deemed significant by the official.

5.3 Supplemental Information

The following information shall be submitted with all preliminary subdivision plans unless specifically waived by the Designated Official or Commission.

- a.) Where the plan for the subdivision includes a lake or pond existing or to be constructed in connection with the development, the plan shall also be accompanied by a profile of the proposed dam structure including all appurtenances thereto.
- b.) The plan shall be accompanied by a tentative centerline profile for each street if deemed necessary by the Designated Official.
- c.) A plan for the surface drainage of the tract proposed to be subdivided, shall be submitted prior to commencement of grading if deemed necessary by the Designated Official. (See Laurens County Erosion and Sediment Control and Stormwater Management Ordinance).

5.4 Plat Approval and Recording

- a.) After the plan has been corrected with regard to any revision or corrections deemed necessary by the Commission or regulatory agency, the subdivider shall prepare a plat for recording. The plat shall be drawn at a scale of 1" = 200' or larger and provide the following:
 - 1.) Lot numbers
 - 2.) Block numbers, if applicable
 - 3.) Phase or section number of subdivision
 - 4.) North Arrow.
 - 5.) Street names and right-of-way width.
 - 6.) Easements for storm drainage, designating location and width.
 - 7.) Natural drainage systems shall be included as a private drainage easement.
 - 8.) Easements for water mains and sanitary sewers not located in street right of way and serving more than one user. Such easements shall show location, width and conditions.
 - 9.) Dimensions and locations of any existing easements or right-of-way with special conditions crossing the property and not located in the right-of-way of a street.
 - 10.) A statement clarifying whether the property line is in the center of the stream or creek of the traverse line on lots abutting a stream or creek.
 - 11.) Title block containing the following information: Subdivision name, name of owner, address, registration number and seal of the engineer or surveyor registered in South Carolina and the date that the survey was made.

- b.) The Designated Official will approve the plat on the authority of the Commission. The approved plat may constitute only a portion of the subdivision plan in the proposed development, however, said portion shall conform to and meet all necessary requirements as set forth here in or by the Commission.
- c.) Once approved, the plat shall be recorded by the subdivider in the office of the Clerk of Court for Laurens County within a period of twelve (12) months from the date that approval is granted. After the expiration of twelve (12) months, said approval shall be void.

5.5 Performance Bond

Prior to completion of any or all required improvements by the subdivider, the subdivider shall post a performance bond with Laurens County or an irrevocable letter of credit guaranteeing the completion of the improvements in compliance with the requirements in this chapter.

- a) The County shall have the right to refuse a performance bond for any or all required improvements and require construction and installation thereof by the subdivision developer.
- b) Where accepted the performance bond shall:
 - 1) Run to the County.
 - 2) Be in an amount equal to 100 percent of the costs as estimated by the governing authority, of any improvements which have not been constructed, installed and completed in compliance with the requirements of this chapter prior to the posting of the bond and for which sufficient certification has been furnished.
 - 3) Be with surety as approved by the County.
 - 4) Specify that all such required improvements shall be completed in accordance with the requirements of this chapter within a period not to exceed one year from the date of posting the bond; provided, however, that the governing body may, by proper application, for good cause shown, extend the time of completion of all or a part of such improvements for such period of time as it deems is in the public interest.
 - 5) Run until and terminate 90 days after filing of the certification of completion and acceptance, unless the Laurens County Planning Commission or County determines that the requirements, standards, and specifications of this chapter applicable to the construction, installation, and completion of such improvements have not been met and notifies the applicant of such determination by certified mail, in which event the bond shall continue to run until the filing of acceptable proof that such standards, requirements, and specifications have been met.
- c) If any or all of the required improvements are not completed within the time specified in the bond, the governing body may let or re-let the contract, and the subdivision developer and performance bond or irrevocable letter of credit shall be severally and jointly liable for the costs thereof to the amount specified for such improvements in the bond.

5.6 Maintenance and Maintenance Bond

- a) The Laurens County Planning Commission shall require the posting of a bond by each subdivider to insure proper maintenance of all roadway improvements for a period of three years after the date of the acceptance of the improvements by the governing authority. Such

bond shall be either in cash, be made by a surety company approved by the Laurens County Planning Commission and authorized to do business in the state, or be in the form an irrevocable letter of credit by a banking institution licensed to do business in the state and approved by the Laurens County Planning Commission, and shall be payable to the governing authority of the County. The amount of the bond shall be determined by the Designated Official and shall not exceed the estimated market costs of repaving the roadway surface based on similar projects in the area. In the event of a dispute between the developer and the engineer on such costs, the Designated Official will make the final determination of the amount of the bond. After one year and after two years, the developer may request a roadway inspection by the Designated Official Director. The Designated Official may reduce the bond amount by up to one-third after one year if the roadway shows no signs of failures or construction damage, and may reduce the bond an additional one-third after the second year if the roadway continues to show no sign of failure or damage. In the event that minor repairs or damages are present, the Designated Official may elect to reduce the bond by lesser amounts or not reduce the bond.

- b) The subdivider shall maintain all street improvements and all settlements due to utility installations for a period of three years from the time of acceptance of such improvements by the governing authority. Should the subdivider choose to use the alternate binder as a temporary surface during the development, the required three year bond on the final acceptance may be reduced by one-half of the time from the installation of the binder to the date of the final acceptance after final surface course if the binder shows no areas of deterioration or failure.
- c) The subdivider shall make such adequate provisions as shall be approved by the Designated Official for the perpetual maintenance of all sewer and water facilities in the subdivision until such obligations have been assumed by a government entity.

SECTION 6 DESIGN STANDARDS - LOTS

- 6.1 Design
The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision and for the type of development contemplated.
- 6.2 Access
All newly developed lots in Laurens County must be situated on or have direct access to a road meeting the provisions of the current Laurens County Road Standards Ordinance, or a road maintained by a public entity.
- 6.3 Lot Lines
Side lot lines shall be approximately at right angles to the right-of-way of the street on which the lot fronts.
- 6.4 Set Back Lines
All minimum set back lines shall be measured from the street edge of pavement provided the street right-of-way is considered and shall be established on all property. Subdivider will place within

restrictive covenants the setback lines applicable to the property in question. The Designated Official will be responsible to classify each street as Residential, Collector or Arterial.

a.) Residential Streets

- 1.) The front setback shall be thirty (30) feet.
- 2.) The side yard setback shall be thirty (30) feet adjacent to the street (corner lots only).
- 3.) The principle building setback shall be ten (10) feet side and rear.

b.) Collector Streets

- 1.) The front setback shall be forty (40) feet.
- 2.) The side yard setback shall be thirty (30) feet adjacent to the street (corner lots only).
- 3.) The principle building setback shall be ten (10) feet side and rear.

c.) Arterial Streets

- 1.) The front setback shall be fifty (50) feet.
- 2.) The side yard setback shall be thirty (30) feet adjacent to the street (corner lots only).
- 3.) The principle building setback shall be ten (10) feet side and rear.

6.5 Lots in Flood Plains

Any plat submitted for final approval and is in a locale subject to periodic flooding as determined by the appropriate federal agency designated by the Department of Housing and Urban Development under the National Flood Insurance Program shall indicate on the plat, when such information is available, the high water mark and the exact areas that fall within the flood plain. Lots may be approved where adequate building area is one (1) foot or higher than the high water mark. If higher standards are established by the State of South Carolina, or any of its agencies, the more stringent requirement shall govern.

6.6 Natural Waterways

In any subdivision, natural waterways shall be kept clear of obstruction. Natural drainage systems shall include a platted private drainage easement.

SECTION 7 DESIGN STANDARDS - LOT DIMENSIONS

7.1 Lot with Public Water and Sewer

- a.) Minimum area shall be eight thousand (8,000) square feet.
- b.) Minimum width shall be seventy five (75) feet between side lot lines measured at the front setback line. Corner lots shall have additional width to accommodate the side street setback line required as specified herein. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
- c.) The minimum depth shall be as required to meet minimum area requirements as specified in 7.1.a.
- d.) No residence (primary building) shall be placed within ten (10) feet of side lot line.

7.2 Lot with Well and Septic Tank

- a.) Minimum area shall be one (1) acre.

- b.) The minimum width shall be one hundred twenty (120) feet between side lot lines measured at the front set back line. Corner lots shall have additional width to accommodate the side street set back line required as specified herein. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
- c.) The minimum depth shall be as required to meet minimum area requirement as specified in 7.2.a.
- d.) No residence (primary building) shall be placed within ten (10) feet of side lot line.
- e.) Lots less than two (2) acres shall require approval from the South Carolina Department of Health and Environmental Control (SCDHEC) for well and septic tank installation prior to subdividing.

7.3 Lot with Public Water and Septic Tank

- a.) The minimum area shall be twenty-five thousand (25,000) square feet. This shall be exclusive of road right-of-way.
- b.) The minimum width shall be one hundred (100) feet between side lot lines measured from the front set back line. Lots on the circular right of way of a Cul-de-sac street shall have a minimum (30) foot width at the road right of way.
- c.) The minimum depth shall be as required to meet minimum area requirements as specified in Section 7.3.a.
- d.) No residence (primary building) shall be placed within ten (10) feet of side lot line.
- e.) Lots less than two (2) acres shall require approval from the South Carolina Department of Health and Environmental Control (SCDHEC) for septic tank installation prior to subdividing.

SECTION 8 UTILITIES

8.1 Availability of Water and Sewer Services

- a.) All subdivisions constructed under the provision of these regulations shall be required, if feasible, to install water and sewer lines and connect to public operated utilities. Where any part of the property boundary a subdivision is located within 1,000 feet of a public water system or 300 feet of a public sewer system, the developer must obtain approval from the water or sewer system provider prior to plat review and approval by the Laurens County Planning Commission.
- b.) If water service is not available, the Developer must provide documentation from the water provider that service is not available.
- c.) If sewer service is not available, the Developer must provide documentation from the sewer provider that service is not available. Septic Tank permits from SCDHEC must also be obtained prior to subdividing.
- d.) A public water or sewer system is not obligated to extend or supply service if capacity is not available. If capacity is available, the extension of services shall be by and at the expense of the developer. The water or sewer extensions, both off-site and on-site, must be in accordance with the water or sewer system's requirements and are subject to review, approval, permitting and inspection by the water or sewer provider. Compliance with the water or sewer provider does not relieve the developer from the responsibility to also comply with all local, state and federal regulations.
- e.) Unless guaranteed by bond, escrow account or other approved financial instrument, all water and sewer improvements must be complete, in operation and accepted by the water

or sewer provider before the final plat will be approved for recording by the Laurens County Planning Commission.

8.2 Design of Water Supply Systems

The developer shall be required to install a water distribution system, including fire protection, in accordance with the standards, procedures, and policies of the water service provider, state drinking water regulations and applicable fire code provision where service is available. The extent of the extension/upgrading of water lines to be installed within a new subdivision will be determined by the water service provider.

8.3 Design of Sanitary Sewer Systems

The developer shall be required to provide public sewage disposal systems in accordance with the standards, procedures, and policies of the sewer service provider and state wastewater regulations. The extent of the extension/upgrading of gravity sewer, lift stations and force mains will be determined by the sewer service provider.

8.4 Private Water or Sewer Systems

Privately owned water or sewer systems that serve more than one residence shall not be considered for approval without the express written consent of the existing water or sewer provider that has an established territory at the proposed location and a Permit to Construct from SCDHEC. The Developer must also provide documentation to the Laurens County Planning Commission that the system will be viable, self-sustaining and that no other feasible alternative to provide water or sewer service exists.

8.5 Utility Placement

Only utilities owned and maintained by a public utility company may locate their utilities and equipment within the right of way a street. All privately owned utilities and equipment shall be placed outside of the street right of way.

8.6 Fire Protection and Hydrants

- a.) The developer shall be required to install fire protection and hydrants where capacity/flow of the water supply is sufficient for such service as determined by the existing water provider.
- b.) All fire hydrants shall meet the specifications of the most current ordinance on Fire Hydrant Standards for Laurens County.

SECTION 9 OTHER IMPROVEMENTS

9.1 Street Trees

Any trees or shrubs to be installed on the street right-of-way by the subdivider shall be approved for type and placement by the Designated Official.

9.2 Lot Trees

The developer shall make every effort to preserve as many trees as possible and remove only those trees necessary for the development of the lot. This stipulation shall not be a subjective basis for the withholding of approval.

9.3 Signage

All signage noting the name or other information about the subdivision shall be reviewed by the Commission for placement, relevance, safety and design. All signage placed for the direction of vehicular traffic does not need review but is the responsibility of the subdivider to ensure that it conforms to the latest edition of the Federal Highway Administration's Manual of Uniform Traffic

Control Devices (MUTCD) as well as the South Carolina Department of Transportation (SCDOT) supplement to the MUTCD.

SECTION 10 MANUFACTURED HOME PARKS

Generally, all manufactured home parks constructed, altered or extended after the effective date of the ordinance from which this article is derived shall conform to the regulations of this section. The establishment or expansion of a manufactured home park shall be considered a major subdivision and comply with regulations and procedures set forth in Sections 5, 6, 7, 8, and 9 as well as the following:

10.1 Water and Sewer

All proposed parks shall be served by public water and sewer systems or other systems, plans of which shall be approved by the South Carolina Department of Health and Environmental Control (SCDHEC) and reviewed by the Commission.

10.2 Signage, Names

All manufactured home parks containing five (5) or more units must provide a sign of at least six (6) square feet indicating the name of the park. Park names shall not be similar, phonetically or by spelling to any existing subdivision, nor historic homes, monuments or sites as listed on the State and National Historic Register.

10.3 Refuse Disposal

Each lot of a manufactured home park must be provided with a refuse container or have access to a centralized refuse container on site, either of which are collected on a weekly basis. Centralized containers must be buffered from sight on three sides with a six (6) foot tall privacy fence constructed of wood or other materials approved by the Designated Official.

10.4 Legal Owner and / or Operator Manufactured Home Park

The legal owner and / or operator of the Manufactured Home Park shall at all times operate the park in compliance with the regulations of this ordinance.

10.5 Inspection of Manufactured Home Parks

All of the park requirements stated in this ordinance must be inspected and approved by the Designated Official prior to any installation of homes. These requirements must also be maintained as long as the park is in operation. The Building Codes and Inspection Office are hereby authorized to make periodic inspections to review the condition and operation of Manufactured Home Parks located within the jurisdiction of this Ordinance in order that they may perform their duties of safeguarding the health and safety of occupants of Manufactured Home Parks and of the general public.

10.6 Existing Manufactured Home Parks

All manufactured home parks in existence at the time of the adoption of this ordinance can continue to operate at its current capacity. Existing, nonconforming, parks cannot increase their size or number of lots without meeting the requirements of this ordinance.

10.7 Park Permit

It shall be unlawful for any person to construct, alter or extend any manufactured home park within the county unless that person or entity holds a valid park permit issued by the county.

- a.) All mobile homes within a park must have set up permits and annual decal license as required by Laurens County.
- b.) No public utility shall connect service to any mobile home within a park in the county without proof of a set up permit and annual decal license.
- c.) Site Plan Approval Required

All manufactured home park owners must submit a site plan of any proposed manufactured home park to the Designated Official, and such plan must have approval by the Laurens County Planning Commission before any permits can be issued. All applications for manufactured home park permits shall contain the following information:

- 1.) Name and address of the applicant.
 - 2.) Interest of the applicant in the development.
 - 3.) Location and legal description of the property.
 - 4.) Complete engineering plans and specifications of the proposed park showing the following:
 - a.) The area and dimensions of the tract of land; Including screening between park and adjoining residences or businesses.
 - b.) The number, location and size of all lots;
 - c.) The location and width of roadways and walkways;
 - d.) The location of service buildings and other proposed structures;
 - e.) The location of wells and water lines;
 - f.) The location of septic tanks, field lines and sewer lines;
 - g.) Specifications of all buildings to be constructed;
 - h.) The location and details of all lighting and electrical systems.
- d.) Fees
All applications for a manufactured home park construction, alteration or extension shall be accompanied by a deposit fee specified in the schedule of fees and charges.
- e.) Location and Frontage
A manufactured home park shall be located on property with a minimum frontage of 200 feet on a public street or road.
- f.) Street Requirement
Interior roads serving the park shall meet the specifications stated in current Laurens County Road Standard Ordinance.
- g.) Lot Area and Width
A manufactured home park shall have a minimum area of three (3) contiguous acres and a maximum of twenty-five (25) contiguous acres and a width of at least 200 feet. Each lot space within the park shall meet the specification of Sections 6 and 7 of this ordinance.
- h.) Installation and Safety Standards
All installation shall conform to the current Laurens County Manufactured Home Ordinance.
- i.) Setbacks
No manufactured home or other building or structure shall be located closer than 60 feet to any park outer perimeter property boundary. All other setbacks shall meet specifications as stated in Section 6 of this ordinance.
- j.) Screening
All new manufactured home parks shall provide screening on any perimeter property boundary if the adjacent property has residential homes or commercial businesses. Screening shall consist of existing vegetation, nursery stock, or both as well as fences, walls, earth berms, or grade changes. The type of screening and placement shall be approved by the Designated Official.
- k.) Service Buildings
Accessory structures for the convenience and well-being of park residents are permitted provided they comply with all applicable county ordinances. Such structures may include

but are not limited to park management offices, community laundry facilities, community postal facilities, etc.

l.) Listing of Manufactured Home Park

Every person owning or operating a manufactured home park, and each person engaged in the sale or rental of manufactured homes or lots upon which to place manufactured homes, shall furnish to the tax assessor of the county by January 1 of each year parcel identification and number of lots/rental spaces.

m.) Register of Park Residents

Park management/operators must maintain at all times an up-to-date register of all park residents. This register must be made available to any authorized person.

n.) Park Manager

Manufactured home parks with five (5) or more manufactured homes shall have a park manager responsible for maintenance of the park and its manufactured homes, including ensuring compliance with the requirements of this ordinance.

o.) Vehicle Parking

Two off-street parking spaces shall be provided for each manufactured home lot.

SECTION 11 ENFORCEMENT

11.1 Enforcement

Laurens County Council, by and through its Designated Official, shall have the duty and responsibility to enforce all provisions of the codes adopted by this Ordinance, as may be deemed proper for the welfare, safety and health of the citizens of Laurens County, within the unincorporated areas.

11.2 Designation of Offenses

Any person, entity or its representative or agent whose acts, actions or failure to act causes a violation of the codes adopted herein shall be issued a Uniform Ordinance Summons, citing said violation. A Uniform Ordinance Summons may be issued by any county official or employee designated as a code enforcement officer and shall not be used to perform any custodial arrest for violations of this ordinance. Any act, action, failure to act or violation of the codes adopted herein is prohibited and declared to be unlawful. Violation of this Ordinance shall constitute a misdemeanor. All violations charged pursuant to a Uniform Ordinance Summons, shall vest in the jurisdiction of the Magistrate Court for Laurens Country. Any bond amount for violations shall be prescribed, set and held by the presiding Magistrate.

11.3 Penalties and Violations

The penalty for each violation of this Ordinance shall be punishable by a fine of not more than two hundred dollars (\$200) or by imprisonment for not more than thirty (30) days. Each day any violation of this Ordinance continues shall constitute a separate offense.

11.4 Appeals

The Laurens County Planning Commission shall hear and decide appeals in matters as specified by this Ordinance. Whenever in the opinion of the Commission, the strict application of the requirements contained in these regulations would result in substantial or excessive difficulties and hardships or injustices, the Commission may modify such requirements, providing that the public interests of the County and its citizens are protected and the general intent and spirit of these regulations are preserved. Any person aggrieved by a decision of the Commission may appeal that

decision before the Court of Common Pleas

SECTION 12 LEGAL

12.1 Authority

This Ordinance is adopted pursuant to authority conferred by the South Carolina Code of Laws. This ordinance repeals and replaces Ordinance _418, 509, 553 & 655___intoto.

12.2 Validity

Should any section or provision of this Ordinance or application of a provision of the Ordinance be declared invalid or unconstitutional by any court of a competent jurisdiction, such declarations shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part or application so declared to be unconstitutional or invalid.

12.3 Conflict with Other Regulations

These regulations shall apply to the unincorporated areas of the county after the adoption of this chapter. However, where sections of this chapter conflict with or overlap one another, or where this chapter conflicts with other county ordinances and/or regulations, whichever imposes the most stringent restrictions shall prevail. State and federal standards shall prevail wherever they conflict with provisions of this chapter.

12.4 Separability

If any section, clause or portion of this Ordinance shall be held by a Court of competent jurisdiction to be invalid or unconstitutional, such finding shall not affect any other section, clause or portion of this Ordinance.

12.5 Amendments

This Ordinance may be amended in the same manner as prescribed by law for its original adoption.

12.6 Effective Date

All provisions of this section and other relevant sections of this Ordinance shall take effect upon enactment by the Laurens County Council according to law.

SECTION 13 ADOPTION

13.1 NOW THEREFORE, BE IT ORDAINED, that Laurens County Council adopts the Residential Subdivision Ordinance this _____ day of _____, 2017.

First Reading 2/28/17

SECTION 1 DEFINITIONS

“**Antenna**” means a device, dish or array used to transmit or receive telecommunication signals.

“**Co-location**” means the use of an existing tower or structure to support an antenna for the provision of wireless services.

“**Commission**” means the Laurens County Planning Commission.

“**Tower**” is a structure more than sixty (60) feet tall used primarily for the support of one or more antennae erected on the ground or a similar structure more than twenty (20) feet tall erected on a building. The height of the tower shall include any antenna that extends above the top of the tower.

“**Communications Antenna**” are antennas that deal in the transmission and reception of radio waves operated by a communications provider.

“**Communications Provider**” is any entity required to be licensed by the FCC.

“**Small Cell**” are small, low-powered wireless facilities, consisting of a transmit-receive antenna that communicates with wireless devices, a wireless backhaul system that connects the facility to the carrier’s core network, and compact radio equipment mounted on either new or existing utility or light poles. These Small Cells add coverage and capacity to the existing wireless networks and are designed to blend with existing infrastructure.

“**Planning Commission**” is the Laurens County Planning Commission.

“**Stealth Tower**” is a tower designed and installed in a manner such that the antenna supporting apparatus and associated structures are aesthetically and architecturally appropriate with regards to an existing structure or immediate environment in which the tower is located. Examples include without limitation, church steeples, bell towers, flag poles, etc.

“**Telecommunication**” means the transmission between or among point specified by the user of information without change in the form or content of the information as sent and received.

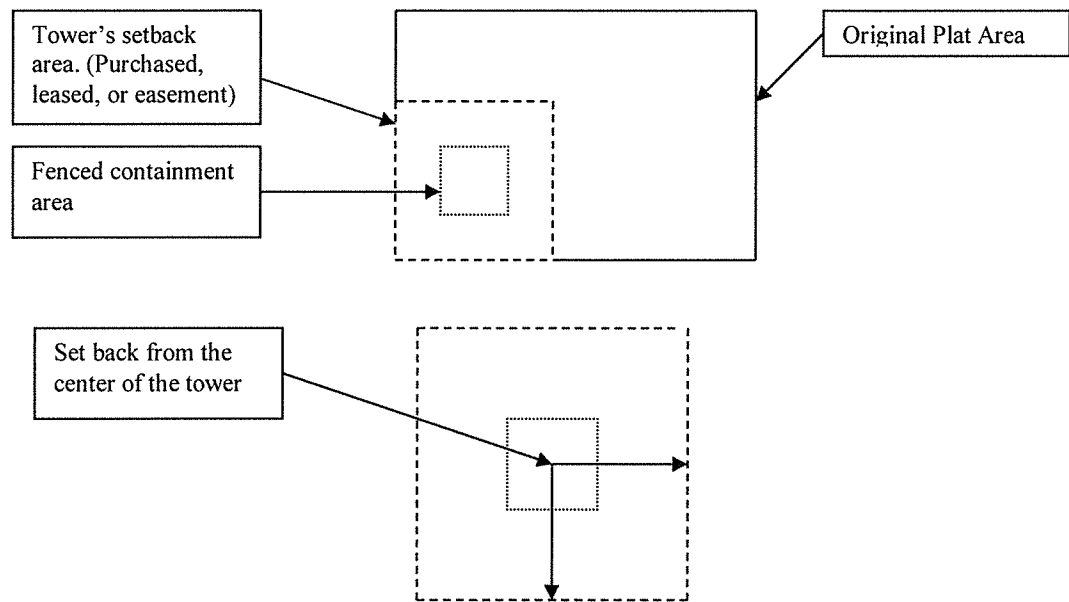
SECTION 2 GENERAL REQUIREMENTS

- a.) General requirements for all structures are applicable to towers. All applicable health, nuisance, noise, fire, building, and safety code requirements shall apply in addition to the conditions of this ordinance. Regulations covering visibility, fencing, screening, landscaping, parking, access, lot size, exterior illumination, sign, storage, and all other general development standards regulations except those specifically superseded by this section shall apply to the use.
- b.) No antenna or tower shall be erected, constructed, maintained, or operated except in conformance with the regulations set forth in this ordinance.

SECTION 3 STANDARDS FOR APPROVAL OF TOWERS

- a.) A tower shall be reviewed by the Laurens County Planning Commission upon determination that all of the applicable conditions in this section are met.
- b.) Structures less than sixty feet in height shall comply with the applicable portions of Section 4 of this ordinance.
- c.) If the applicant proposes to establish a new tower within 2,500-feet of an existing tower the applicant shall submit a statement and technical data to support that each such tower does not meet applicant's structural specifications or technical design requirements, or that space on such other tower is not available at fair market value.
- d.) The location for a new tower to be established at a site on which the communications provider has no existing facilities shall not be placed in a residential area/district until the applicant has demonstrated that higher priority locations ~~listed below~~, are unsuitable for operation of the facility under FCC regulations or applicant requirements (including timing, leasing or valid technical requirements) or are not available at fair market value.
 - 1.) ~~Publicly owned property, e.g., property owned by the City or County, a school or special purpose district, State or Federal Governments, which the owner has determined may be used for a tower.~~
 - 2.) ~~Private or public land within the height of the proposed tower from an existing high voltage transmission line, electric substation, elevated water tank, interstate scale billboard, smokestack or other existing use taller than 45 feet~~
 - 3.) ~~Other available privately owned sites in nonresidential area/districts~~
- e.) The Applicant shall design any new tower to accommodate its own present and projected future needs as well as a reasonable projection of two other comparable user's needs. Any unused tower space, not reserved for the applicants own use, shall be made available at fair market value. Unused tower space does not have to be offered to other parties whose proposed use is likely to technically or mechanically interfere with the existing users of said tower.
- f.) Towers shall be a blending color such as light Gray, unless required to be painted otherwise by the Federal Aviation Administration. Properly maintained unpainted galvanized steel color shall meet this condition.
- g.) All newly constructed towers must meet the seismic and wind load standards as prescribed in the latest adopted International Building Code. ~~The designs shall be stamped drawings submitted by a licensed S.C. design professional in accordance with ANSI/AIA/IA-122 (latest revision).~~
- h.) The proposed installation shall meet all applicable FCC and FAA rules and shall be operated in accordance therewith. No equipment using a tower subject to this ordinance shall interfere with operation of any radio equipment operated at a fixed site by the county or any other entity so long as the County or any such entity is operating within the proper frequency range.
- i.) The Planning Commission may consider the visual impact of a tower on those properties which are officially designated as scenic, historic, or architecturally significant in making its decisions.
- j.) Setbacks - In order to provide and maintain all setback requirements, all of the required setback area must be purchased leased or be recorded as an easement by the tower owner. The minimum setback shall be equal to ½ of the tower's height or the height from the ground to the first-to-yeild point of the tower. The longer of the two setbacks must be used.
 - 1.) For the purpose of measuring the applicable setback, distance measurements on monopole and guyed towers will be made from the center point of the *tower* footprint. Distance measurements on lattice towers will be made from the legs of the lattice tower.

2.) The height of the tower shall be the distance from the base of the *tower* to the top of the tower structure.



- k.) A single sign, approximately two (2) square feet in size, shall be placed in a visible location on or near the tower identifying the owner, the street address and owners identification code of the tower and an all-hours emergency telephone number. The sign shall also identify other users of the tower.
- l.) Towers and associated buildings shall be secured from unauthorized access.
- m.) Screening - The purpose of this subsection is to establish control for the visual quality of towers from the ground level. A tower, as pertains to this subsection, includes the tower and the land and everything within the required security fencing including any other building and equipment.
 - 1.) The screen shall be a minimum radius of ten (10) feet of land surrounding the tower, which shall support an appropriate plant material screen continuously around the tower except for one service access.
 - 2.) An appropriate plant material screen shall be evergreen plants of a quality and planted in accordance with the standards of the ~~Planning Commission best approved list from Clemson Extension or S.C. State Forestry Commission~~ that are indigenous or native to the County area. Such plantings shall be appropriately spaced and of such a size so as to achieve a dense screen with a minimum height of six (6) feet within a three (3) year period from erection of a tower. These are the minimum standards. Additional screening with deciduous or evergreen trees is desirable and encouraged.
 - 3.) Existing trees shall be preserved in the maximum degree possible.
 - 4.) If in extreme or unusual situations where it is proven impossible to properly construct the plant material screen, the County Building Official may grant permission to construct the security fence as a solid masonry wall, either brick or stucco-type finish with a minimum height of six (6) feet above ground level and constructed in accordance with applicable construction codes.

SECTION 4 APPLICATION REQUIRED

Any person desiring to obtain a permit for construction of a tower shall file an application and fee with the County Building ~~Codes~~ Office. Said application shall include the following information and/or documents:

- a.) A copy of FCC form 854, Application for Antenna Structure Registration, or the same information in a similar format if the tower is not subject to FCC registration. Any information on said form may be referenced on other documents.

- b.) The application fees for construction of a tower or adding an antenna to an existing tower, not including building and other permit fees, shall be set and adjusted from time to time by County Council.
- c.) Complete plans and specifications for the proposed tower including foundation, wind and ice loading, antennae and appurtenances and any accessory buildings as required by the building code. The designs shall be stamped drawings submitted by a licensed S.C. design professional in accordance with ANSI/HIA/TIA-222 (latest revision).
- d.) A site plan showing property boundaries, required setbacks, existing structures, latitude and longitude, and adjacent property. The site plan shall also indicate the proposed tower location, site elevation, tower height, guy anchors, driveway and parking, fencing and landscaping.
- e.) A list of other users of the proposed tower.
- f.) Written, notarized authorization or contract from the owner of the site, if the applicant is not the property owner.
- g.) A copy of the FCC license or other evidence of FCC approval of the proposed installation. If applicant has not applied for FCC license(s), applicant shall indicate what service(s) are to be provided by reference to FCC designations. If no FCC license is required, applicant shall indicate the purpose of the tower.
- h.) Prior to County site inspection, the site location of the tower must be clearly identified at the road entrance. The tower construction site shall be marked for setback verification. Proper access to the site shall be provided.
- i.) A checklist covering applicable conditions in Section 3 above, including documentation.

SECTION 5 APPEALS

The Laurens County Planning Commission shall hear and decide appeals in matters as specified by this Ordinance. Whenever in the opinion of the Commission, the strict application of the requirements contained in these regulations would result in substantial or excessive difficulties and hardships or injustices, the Commission may modify such requirements, providing that the public interests of the County and its citizens are protected and the general intent and spirit of these regulations are preserved. Any person aggrieved by a decision of the Commission may appeal that decision before the Court of Common Pleas

SECTION 6 APPLICABILITY

- a.) A tower shall not be allowed unless it is used to support operating antennae or is itself an antenna. If any tower is not used for a period of more than 90 days, then upon notice in writing given to the owner or his agent by the Planning Commission or the County Building Official stating that the tower must be removed if use is not resumed within 180 days of such notice, provided that for any tower on which antenna(e) have been installed in preparation for offering a new service, the total time allowed by this subsection shall be one year. **The Planning Commission may grant additional time**
- b.) ~~All existing towers shall be registered within 30 days of the effective date of this Ordinance. For purposes of this subsection, registration shall mean the submission of information set forth in Section 4, subsections A, D, E, and G of this Ordinance. No registration fees shall be required for towers existing as of the date of enactment of this Ordinance.~~
- c.) ~~The tower owner shall comply with subsections Section 3.F, Section 3.G, Section 3.H, Section 3.I, Section 3.J, Section 3.K, and Section 3.L. Towers which do not meet the requirements of this ordinance shall be a permitted noneonforming use to the extent of the location, height, and setbacks of such towers. Any addition to such towers shall not increase its noneonformity, except that existing public broadcasting facilities, because of the unique high frequency, unidirectional and line of sight nature of their facility, may increase their height to that allowed under an industrial area/district. Owners of existing towers which do not meet the requirements of this ordinance who do not register their towers according to Section 7.B shall cause such towers to conform~~

to this Ordinance within three (3) years of the effective date hereof.

SECTION 7 GENERAL

- a.) NOTICE OF VIOLATION - It shall be the duty of the Laurens County Office of Building Codes, or its designee (as designed by Laurens County Council) to serve, or cause to be served, a notice upon the owner or occupant of any property, who has permitted a violation of this Ordinance. Such notice shall demand abatement within sixty (60) days of service.”
- b.) ENFORCEMENT OF NOTICE - It shall be the duty of the Codes Enforcement Officer, to enforce the provisions of this chapter. Notice of violation shall be issued to any property owner in violation of any provision contained herein this chapter. Such notice shall be directed to the property owner ordering him and requiring him within a reasonable and specified time to abate or correct the violation. If a person served with notice of a violation does not abate the violation within sixty (60) days after service, the County may seek a court order to compel the owner or occupier to abate the violation. The penalty for each violation of this Ordinance shall be punishable by a civil fine of not more than two hundred dollars (\$200). Each day any violation of this Ordinance continues shall constitute a separate offense.
- c.) LIEN IMPOSED - The charge for compelling the owner or occupier to abate the violation or for the County’s abatement of the violation shall constitute a lien upon the property. The County Building Codes Official, with the knowledge of the County Administrator shall send, or cause to be sent, a bill for such charges to the owner or occupier of the property. The County Administrator shall also file a statement of the lien against the owner of the property in the office of the County Clerk of Court. Such lien shall be indexed in the mortgage books, as maintained from time to time for the County, and the statement shall contain the following: a legal description of the property; a statement of the violation of this Ordinance; the date of the County’s action for abatement; the expenses and costs incurred, including attorney fees, for the abatement proceedings; and a statement that the costs and expenses ascertained shall bear interest at the statutory legal rate.
- d.) SEPARABILITY AND VALIDITY - Should any section, paragraph, clause, phrase or provision of this Ordinance be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.
- e.) CONFLICTING ORDINANCES - This Ordinance may be amended or modified from time to time, provided, however, such amendments or modifications shall be accomplished in the same manner as the original enactment to this Ordinance. If any provision of this Ordinance conflicts with any Ordinance or statute, the more restrictive requirement shall apply.
- f.) EFFECTIVE DATE - This Ordinance shall take full effect and be fully executed upon three readings and a public hearing as required by law.

DONE AND APPROVED in Council duly assembled on this the _____ day of _____ 2017.

LAURENS COUNTY COUNCIL:

Joseph E. Wood, Jr., Chairman

ATTEST:

P. Keith Tollison , Vice Chairman

Jon Caime, Administrator
Laurens County Council
Laurens County, South Carolina

Garrett McDaniel, Council Member

Ted G. Nash, Council Member

Betty C. Walsh, Clerk
Laurens County Council
Laurens County, South Carolina

David Pitts, Council Member

Diane B. Anderson, Council Member

Joe E. Wood, Jr., Council Member

First Reading:
Second Reading:
Public Hearing:
Third Reading: