

ARTICLE IX

ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS

Section 9-1. Administration and Enforcement

The Building Official is hereby designated and duly charged with the authority to administer and enforce the provisions of this Ordinance.

The Building Official shall accept and examine all applications for construction, land use or reuse, and shall issue permits where such applications are in accord with the provisions of this Ordinance and applicable building codes. He shall direct parties in conflict with this Ordinance, and cause to be kept records and files of any and all matters referred to him.

If the Building Official shall find that any one of the provisions of this Ordinance is being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; and shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

Section 9-2. Administrative Procedures and Requirements

No building, structure or sign requiring a permit or any part thereof shall be erected, added to or structurally altered, nor shall any excavation or grading be commenced until the required permits have been issued.

No building, structure or land shall be used; nor shall any building, structure or land be converted, wholly or in part to any other use, until all applicable and appropriate licenses, certificates and permits have been issued certifying compliance with the requirements of this Ordinance.

No permits inconsistent with the provisions of this Ordinance shall be issued unless accompanied by an approved variance as provided by this Article.

The provisions of this Section shall not apply to the necessary construction, replacement or maintenance by a public utility of its outside plant facilities, including such items as poles, crossarms, guys, wire, cable and drops.

9-2.1 Filing Applications

Applications for permits shall be signed by the owner or his/her designee and shall be filed on forms provided by the Building Official.

9-2.2 Application Requirements for a Grading (Land Disturbing) Permit

Requirements for a grading permit are contained in the South Carolina Stormwater Management and Sediment Reduction Regulations hereby adopted by reference.

9-2.3 Application Requirements for a Building Permit

Each application for a permit for a building or structure other than a sign shall be accompanied by two (2) sets of the following or as much thereof as the Building Official shall find necessary to determine whether the proposed building or use will be in compliance with the provisions of this Ordinance:

- (1) A plat and/or Site Plan with date and scale, showing the actual shape and dimensions of the lot to be built upon; the size, height and location on the lot of existing and proposed buildings and structures; the existing and intended use of each building or part of a building; the number of families or housekeeping units the building is designed to accommodate; flood and wetland areas; proposed parking; building elevations and such other information with regard to the lot and contiguous land uses as required to determine compliance with and provide for the enforcement of this Ordinance.

To satisfy the requirements of Article VI, the Site Plan shall in

addition to the above, be drawn at a scale not less than one inch equals one hundred feet and shall show:

- (a) All proposed landscaping and watering systems required by Article VI, with all plant species labeled and scaled to indicate location and spread at time of installation;
- (b) A table of planting materials stating species, number, and size at planting for all plants.

9-2.4 Application Requirements For a Sign Permit

Each application to erect a sign, where a sign permit is required by this Ordinance, shall be accompanied by the following information:

- (1) Common signage plan, where applicable, in accord with the requirements of Section 5-4.
- (2) Identification of ownership and/or leaseholder of property on which the sign is to be erected, including street address.
- (3) Name and address of the owner of the sign.
- (4) Site plan sketch with dimensions (non-professionally drafted plan is acceptable) showing the location of the sign with respect to the property and right-of-way lines, building and setback lines, and buildings, parking areas, and existing free-standing signs.
- (5) Correct size, shape, configuration, face area, height, nature, number and type of sign to be erected, including the size of letters and graphics.
- (6) Description of sign and frame materials and colors.
- (7) Anchorage details.
- (8) The value of the sign and sign structure.

- (9) The Building Official may waive any of the informational requirements listed above deemed unnecessary to process an application.
- (10) For signs exceeding thirty-six (36) square feet in area, the applicant shall include a drawing by a registered South Carolina engineer or architect and a written certification from a registered South Carolina engineer or architect that the sign is structurally sound and safe, does not constitute a hazard to persons or property on the premises, on adjoining property, or in the vicinity of its location, that the sign is in compliance with all building or other construction codes and the requirements of this Ordinance.

Section 9-3. Inspections for Compliance

The Building Official may make or require inspections of any land disturbing activity, construction or maintenance requirement to ascertain compliance with the provisions of this Ordinance and to ascertain compliance with approved permit applications, plats and/or plans.

Section 9-4. Certificate of Zoning Compliance

It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a **Certificate of Zoning Compliance** shall have been issued therefor by the Building Official stating that the proposed use of the building or land conforms to the requirements of this Ordinance, including the installation of plant materials and landscaping requirements of Article VI.

No nonconforming structure or use shall be maintained, renewed, changed or extended until a Certificate of Zoning Compliance shall have been issued by the Building Official. The Certificate of Zoning Compliance shall state specifically wherein the nonconforming use differs from the provisions of this Ordinance, provided that upon enactment or amendment of this Ordinance, owners or occupants of nonconforming uses or structures shall have three (3) months to apply for Certificates of Zoning Compliance. Failure to make such application within three (3) months shall be presumptive evidence that the property was in

conformance at the time of enactment or amendment of this Ordinance.

No permit for erection, alteration, moving or repair of any building shall be issued until an application has been made for a Certificate of Zoning Compliance, and the Certificate shall be issued in conformity with the provisions of this Ordinance upon completion of the work.

A temporary Certificate of Zoning Compliance may be issued by the Building Official prior to completion of all required improvements including landscaping, for a period not exceeding six (6) months; provided that assurances for the completion of all required work, including the installation of required landscaping are acceptable to and approved by the Building Official.

The Building Official shall maintain a record of all Certificates of Zoning Compliance and a copy shall be furnished upon request to any person.

Failure to obtain a Certificate of Zoning Compliance shall be a violation of this Ordinance, and punishable under Section 9-7 of this Ordinance.

Section 9-5. Expiration of Building Permit

If the work described in any Building Permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be canceled by the Building Official; and written notice thereof shall be given to the persons affected.

Section 9-6. Complaints Regarding Violations

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, the Building Official shall record and investigate such complaint, and take such action as provided by this Ordinance. Complaints may be filed in writing or verbally, stating fully the cause and basis thereof.

Section 9-7. Penalties For Violation

Any persons violating any provision of this Ordinance shall upon conviction be guilty of a misdemeanor and shall be fined as determined by the Court for each

offense.

Where any building, structure or sign is or is proposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure, sign or land is or is proposed to be used in violation of this Ordinance, the Building Official or other appropriate administrative officer, may in accord with the provisions of Section 56-7-80 of the South Carolina Code of Laws 1976, as amended, issue an ordinance summons, or institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use; or to correct or abate the violation or to prevent the occupancy of the building, structure or land. Each day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use continues shall be deemed a separate offense.

A Notice of Violation and/or Stop Work Order shall not be stayed from legal proceedings by application for a rezone. A Notice of Violation and/or Stop Work may only be stayed as allowed under Section 9-9.2 **Appeals to the Board of Zoning Appeals; Hearings and Notices** of this Article where it is alleged there is error in any order, requirement, decision, or determination made by the Building Official in the enforcement of this Ordinance or there is an appeal for variance where it is alleged that owing to special conditions, a literal enforcement of the provisions of the Ordinance will, in an individual case, result in the unnecessary hardship.

Section 9-8. Right of Appeal

Any decision or determination by the Building Official or other administrative official may be appealed to the Board of Zoning Appeals.

Section 9-9. Establishment of Board of Zoning Appeals

A Board of Zoning Appeals is hereby established. Said Board shall consist of five (5) members, who shall be citizens of the county, and shall be appointed by County Council for overlapping terms of four years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment and any member may be removed by the County Council for