



ORDINANCE NO. 2023-23

**AN ORDINANCE TO AMEND CHAPTER 13, BUILDING AND HOUSING
OF THE CODE OF THE CITY OF ORANGEBURG AND TO AMEND THE
INTERNATIONAL PROPERTY MAINTENANCE CODE.**

WHEREAS, the City Council ("Council") of the City of Orangeburg ("City") finds:

- (a) City Council is authorized and empowered to provide for its internal operation according to South Carolina Constitution Article VIII, section 17, and the Home Rule Act of 1975.
- (b) City Council is authorized to establish and enforce building codes in conformity with national building and safety codes according to South Carolina Code section 6-9-10; and
- (c) City Council has determined it is in the public interest to update the City's building codes to establish and update fees and penalties for violations of the City's building code.

NOW, THEREFORE, the Council ordains:

Amendment. The Code of the City of Orangeburg Amended through January 2020 is hereby amended as follows, and the following sections of the International Property Maintenance Code, 2021 edition ("IPMC") are hereby modified to read in their entirety as follows:

Section 104.1 of the IPMC is revised in its entirety as follows:

104.1 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the schedule fixed from time to time. A current copy of the fee schedule shall be maintained in the offices of the city clerk and the building codes administrator.

Section 104.2 Refunds of the IPMC is deleted in its entirety.

Section 109.4 of the IPMC is revised in its entirety as follows:

109.4 Violation; penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Penalties shall be assessed as prescribed in section 109.4.1.

109.4.1. Penalties.

- (1) For compliance with a notice to correct violations within the time frame given on the first notice of violation, no penalty shall be charged.
- (2) If a violation is not corrected within the specified time on the notice of violation, a penalty shall be added as follows:
 - (a) For the next 30 days, a \$25.00 penalty shall be added for each day of continuing violation.
 - (b) For each additional day, a \$50.00 penalty shall be added for continuing violation until the violation is corrected.
- (3) For a second offense of the same violation within one year, a \$50.00 penalty shall be assessed for each day of continuing violation beginning with the first day of violation.
- (4) For the third offense of the same violation within one year, a \$75.00 penalty shall be assessed for each day of continuing violation beginning with the first day of violation.
- (5) For continuing violations, separate citations need not be written for each day they occur in

order to establish separate violations, provided the single citation identifies reasonably the dates of each continuing violation.

The city manager or his designee may waive or abate the penalties outlined in this section for good cause shown. However, upon conviction of an offender for one or more violations, no penalty assessed by the city manager or his designee or the code administrator can be waived or abated by the municipal court, it being the intent of the city council to secure prompt compliance and consistency in the administration of these code provisions by ensuring mandatory penalties for delays and repeated occurrences.

Reservation to City. The City reserves the right to repeal or amend this Ordinance, at any time, from time to time, as often as the City, in its sole discretion, deems appropriate.

Severability. If any part of this Ordinance is unenforceable for any reason, then the remainder of this Ordinance remains in full force and effect.

General Repealer. All resolutions, orders, and parts thereof in conflict with this Ordinance, are to the extent of that conflict, repealed. This Resolution shall take effect and be in full force upon adoption by the Council.

ENACTED BY the City Council on December 19, 2023, and effective immediately.

Mayor

Michael C. Butler

Members of Council

AKS
Janellia A. Krotts
[Signature]
Liz Simon Keith
[Signature]
Richard J. Stone



Attest: Luida M. Daniel
City Clerk

First Reading: November 21, 2023
Second Reading: December 5, 2023
Third Reading: December 19, 2023