

MAYOR
CHRISTIE RAINWATER

CITY ADMINISTRATOR
MIKE COCHRAN



CITY COUNCIL
JEFF C. CHANDLER, MAYOR PRO-TEM
MIKE DYSON
KEVIN HEDGPETH
JOEL E. HODGES
MICHAEL SALLY

AGENDA

Hanahan City Council Meeting
Tuesday – March 10, 2020 – 6:30PM
Debbie Lewis Municipal Chambers
1255 Yeamans Hall Road, Hanahan, SC 29410

AGENDA ITEM

PERSON(S) RESPONSIBLE

Call to Order

Mayor Rainwater

Invocation

Pastor Richard Perea, Calvary Chapel of Charleston

Pledge of Allegiance

Kevin Hedgpeth, Council Member

RECOGNITIONS:

- A. Resolution #1-2020
- B. Council Member Hedgpeth's Graduation of MEO
- C. Tyler Dempsey/Ruth Lucas
- D. Firefighter Commendations
- E. Hanahan Garden Club/Maintenance Dept.
- F. Employee of the Month
- G. Citizen of the Month
- H. Charleston STEM Festival Proclamation

Mayor Pro Tem Chandler

Mayor Rainwater

Mike Cochran, City Administrator

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Mayor Rainwater

Mike Cochran, City Administrator

Mayor Rainwater

Michael Sally, Council Member

CITIZENS COMMENTS REGARDING AGENDA ITEMS ONLY

EXECUTIVE SESSION

City Council

CONSENT AGENDA

- 1. Approval of the Minutes from the February 11, 2020 City Council Meeting

City Council

NEW BUSINESS

1. Purchase of Police and Fire Radios
2. Approval of the Grievance Committee
3. Ordinance Revisions Chapter 18

Mike Cochran, City Administrator

Hilary VanOrsdel, HR Director

Mike Cochran, City Administrator

UNFINISHED BUSINESS

- A. Public Hearing – Introduction and First Reading - Proposed Zoning Text Amendments to the Multifamily Residential (RM) Ordinance and Creation of RM-N Ordinance

Jeff Hajek, Planner and Econ Dev Director

- B. Second Reading – Proposed Frontage Definition within the 2008 Zoning and Land Development Ordinance

Jeff Hajek, Planner and Econ Dev Director

REPORTS AND COMMENTS

- A. Citizens Comments
- B. City Administrator's Report
- C. Mayor and Council Comments

ADJOURNMENT

The revisions requested are as follows:

- 18-2 Modify the term "board of health" to read "building official, code enforcement officer or law enforcement officer" so that it is clear who has the enforcement authority for the related ordinances.
- 18-27 Modify the 12 inches to 10 inches for permissible grass height. The recommended cut height for centipede grass is 1.5 to 2 inches, St. Augustine is 2-3 inches and Rye is 1.5-4 inches. *It takes a while for grass to grow from 4 inches to 10 inches.*
- 18-29 Modify the term "health officer" to read "board of health" to read "building official, code enforcement officer or law enforcement officer" so that it is clear who has the enforcement authority for the related ordinances. Reduce the warning time from 10 days to 7 days. *By the time grass gets to 10 inches, all the neighbors have been looking at it for weeks, by reducing the number of days to 7, sufficient time is still being provided to have the grass cut without putting an undue burden on the property owner in violation.*

Add "*Repeat violators of this 18-27, 18-28 shall be given one warning per year, per property or parcel. Subsequent violations of these sections, or any person failing or refusing to remove the nuisance within seven days after having been noticed in the prior 365 days shall be guilty of a misdemeanor.*"

- Remove 18-31. This ordinance has been deemed to be not enforceable therefore it should be removed.

Chapter 18 - ENVIRONMENT

ARTICLE I. - IN GENERAL

Sec. 18-1. - Declaration of public health nuisances.

- (a) Any act of any person or corporation whereby the health or life of any individual may be endangered, injured or impaired, or which causes any disease is hereby declared a nuisance.
- (b) It shall be unlawful for any owner, occupant or agent of lots or premises, whether occupied or vacant, within the corporate limits, to permit any property to become unsanitary by allowing any offensive matter or thing upon the lot or premises which may be detrimental to health; or to permit any trash, rubbish, waste, refuse, manure, straw, hay or thing to accumulate and remain upon the premises; or to throw, deposit or cause to be thrown or deposited upon any vacant lot or premises anything which may endanger, injure or damage another's health or property.

(Code 1983, § 6-1-3; Ord. of 2-11-1974)

Sec. 18-2. - Abatement of public nuisances.

- (a) It shall be lawful for the building official, code enforcement officer or law enforcement officer to declare as nuisances things, the existence of which may be deemed unhealthy or harmful to the citizens of the city, and the nuisances may be abated by the city pursuant to directions from the building official at the property owner's expense.
- (b) Upon the owner's failure to abate after being directed to do so, the city authorities shall remove the nuisance at the expense of the person who shall have caused or allowed the nuisance, from any occupant or tenant of the premises or, in case it affects the freehold, from the owner who after notice shall have failed to remove the nuisance. Costs of abatement by the city shall be a lien against the property of that person, next in priority to the lien for taxes; and the city may enforce the same by execution in the same manner as for taxes.

(Code 1983, § 6-1-4; Ord. of 2-11-1974)

Sec. 18-3. - Refusal to abate a public nuisance.

Any person refusing or neglecting to abate a nuisance after having been directed to do so shall be guilty of a misdemeanor.

(Code 1983, § 6-1-5)

State Law reference— Abatement of nuisances, S.C. Code 1976, § 5-7-30.

Sec. 18-4. - Dangerous trees; notice and removal.

Whenever it shall come to the attention of the city administrator or his designee that a tree standing within the city has, because of becoming dead, injured, or from other causes, become dangerous, he shall cause to be served upon the owner of the land upon which the tree is located, a written notice requiring that the tree be removed within five days. If, after the expiration of five days, the tree has not been removed, the city administrator or his designee shall proceed to have it removed and shall assess the cost of removal against the owner of the land, and any cost as assessed shall constitute a lien against the property next in priority to city taxes, and shall be collected by execution and sale, as for taxes.

(Code 1983, § 6-1-6; Ord. of 2-11-1974)

Secs. 18-5—18-26. - Reserved.

ARTICLE II. - WEEDS^[1]

Footnotes:

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State Law reference— Municipality may provide property owners to keep property clean and free of unhealthy material, S.C. Code 1976, § 5-7-80; municipal authority to abate nuisances, S.C. Code 1976, § 5-7-30; noxious weeds and plants as determined by the agriculture commissioner, S.C. Code Reg. 5-584.

Sec. 18-27. - Prohibited.

No person shall allow or permit weeds, bushes and grass to grow over 10 inches high upon his premises within the corporate limits of the city, uncut so as to render the premises unsightly or unhealthy from the growth and accumulation of such grass, bushes, and weeds thereon. Nor shall any person allow trash or other debris to be deposited or to remain upon his premises.

(Code 1983, § 6-3-1; Ord. of 9-9-1974)

Sec. 18-28. - Declared to be a nuisance.

It is hereby declared to be a nuisance and unlawful to permit the growth and accumulation of grass, weeds and bushes or to permit the depositing or accumulation of trash or other debris so as to render premises unsightly or unhealthy, if within 500 feet of any building or dwelling.

(Code 1983, § 6-3-2; Ord. of 9-9-1974)

Sec. 18-29. - Notice to clean up premises; failure to comply.

The building official, code enforcement officer or law enforcement officer, upon notice of the failure of any person to comply with the requirements of sections 18-27 and 18-28, shall at once notify the persons so violating to clean up his premises within 7 days. Any person violating these sections, or any person failing or refusing to remove the nuisance within 7 days after notice as provided therefor, shall be guilty of a misdemeanor.

Repeat violators of this 18-27, 18-28 shall be given one warning per year, per property or parcel. Subsequent violations of these sections, or any person failing or refusing to remove the nuisance within seven days after having been noticed in the prior 365 days shall be guilty of a misdemeanor.

(Code 1983, § 6-3-3; Ord. of 9-9-1974; Ord. of 12-13-2005, § 1)

Sec. 18-30. - Removal by city.

Upon the failure of any person to remove and abate the nuisance, as provided in this article, within 7 days after notice, the city may enter upon the premises of the person offending and cause the nuisance to

be removed by removing the objectionable matter from the premises and by cutting and removing the weeds, bushes and grass therefrom, and charge the expense thereof to the owner of the premises. These costs shall be a lien against the property of the person, next in priority to the lien for taxes, and the city may enforce the same by execution in the same manner as for taxes.

(Code 1983, § 6-3-4; Ord. of 9-9-1974; Ord. of 12-13-2005, § 1)

(Ord. No. 5-2015, 6-9-2015)

Secs. 18-32—18-50. - Reserved.

ARTICLE III. - STORMWATER MANAGEMENT²

Footnotes:

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Editor's note— [Ord. No. 5-2018](#), adopted Sept. 11, 2018, repealed former [Ord. No. 9-2014](#), adopted Dec. 9, 2014, which pertained to stormwater management.

Sec. 18-51. - Title amendment.

An ordinance to authorize Berkeley County to enforce their stormwater management program within the municipal limits and to repeal and rescind any provisions within [Ordinance No. 9-2014](#), established on Dec. 9, 2014, for the creation of a stormwater management program ordinance, which are in conflict with any provisions of the Berkeley County Stormwater Management Ordinance 14-11-36, and all subsequent revisions or amendments of Ordinance 14-11-36, this 11th day of September, 2018 until the inter-governmental agreement - NPDES stormwater discharge permit compliance and other stormwater related services, signed into agreement on the 9th day of October, 2015, is properly terminated by either party.

([Ord. No. 5-2018](#), 9-11-2018)