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CHAPTER 18
BUILDINGS AND BUILDING REGULATIONS
ARTICLE VIII: PROPERTY MAINTENANCE

PART ONE: SCOPE, APPLICATION, PURPOSE, AND INTENT

18-200. Scope and Intent

(a) Chapter 18, Article VIII of the City of Sumter Code of Ordinances will be known as "The Structure and Property Maintenance Code."

(b) The City intends this Article to maximize the livability and appearance of all structures, equipment, property, and premises in the City so that residents of the City may experience and enjoy clean, sanitary, safe, and well-kept surroundings. This Article therefore sets forth the minimum conditions for structures, equipment, property, and premises to be maintained.

(c) The City further intends this Article to maximize the likelihood of consistent and ongoing maintenance of structures, equipment, property, and premises by holding all persons who have use of, ownership in, or responsibility for structures, equipment, property, and premises equally accountable and responsible for compliance with the terms and conditions of this Article.

(d) The City further intends this Article to maximize the likelihood of consistent real estate and real property values throughout the community by enforcement of the provisions of this Article.

18-201. Purpose

(a) The purpose of this Article is to protect life and property from public health and safety hazards, to enhance the livability of the community and its surroundings, and to protect the value of real property and real estate in the community by:

(1) providing minimum standards of maintenance and occupancy for existing structures, equipment, property, and premises;

(2) identifying the responsibilities of owners, operators, occupants, users, and agents of same for compliance with these standards; and

(3) setting forth procedures for the administration, inspection, and enforcement of these standards.

To that end, this Article requires the timely repair, correction, alteration, or removal of structures, equipment, property, and premises found to be in violation of this Article.

(b) This Article shall be liberally construed to secure its expressed purposes.

18-202. Application to Buildings and Structures

This Article applies to all residential and nonresidential structures, equipment, property, and premises within the incorporated limits of the City.

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18-203. Application to Persons

(a) Persons (as hereinafter defined) who have a legal or equitable interest in, own, lease, use, occupy, or have care, custody, or control of a structure, equipment, property, or premises shall maintain the same in compliance with this Article.

(b) Such persons responsible for maintaining residential and nonresidential structures, equipment, property, or premises in compliance with this Article include, but are not limited to any person, individual, firm, corporation, partnership, group acting as a unit, agent, operator, firm, or other legal entity that:

(1) is recorded in the official records of the State of South Carolina, Sumter County, or the City as holding title to the property;

(2) has a legal, financial, or equitable interest in the property;

(3) has control or use of the property;

(4) has control of the property as the personal guardian of a property owner, the guardian of the estate of a property owner, or the executor or administrator of the estate of such person if ordered to take possession of real property by a court; or

(5) that is responsible under applicable law to pay taxes with respect to the property.

(c) A person who directly or indirectly owns premises that do not comply with the requirements of this Article shall not occupy or permit another person to occupy such premises. Occupants and all persons who use, occupy, or have care, custody, or control of a dwelling unit are responsible for keeping in a clean, sanitary, and safe condition as required herein that part of the dwelling unit or premises that they occupy and/or control.

(d) The City may proceed against one, all, or any combination of persons sufficiently connected to the subject building, structure, equipment, property, and/or premises.

18-204. Intent; Severability

(a) If a section, subsection, sentence, clause, or phrase of this Article is, for any reason, held to be invalid, illegal, or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

(b) The provisions of this Article are in addition to all existing applicable laws and are not intended to abolish, amend, or compromise any other law, rule, remedy, administration, or enforcement procedure in the City.

PART TWO: DEFINITIONS

18-210. Definitions

(a) Terms not Defined. Terms that are not defined in, or through the methods authorized by, this Article shall have their ordinarily accepted meanings as the context may imply.

(b) Terms Defined in Other Codes. Terms that are not defined in this Article but that are defined in the International Building Code, International Fire Code, International Zoning Code, International Plumbing Code, International Mechanical Code, or the ICC Electric Code shall have the meanings ascribed to them as in those codes.

(c) Use of the Terms Dwelling Unit, Dwelling, Premises, Building, Rooming House, Rooming Unit, or Story. Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit" or "story" are stated in this Article, they shall be construed as though they were followed by the words "or any part thereof."

(d) Construction. Unless otherwise specified, all references in this Article to any one or more of the terms ***building, structure, house, home, or premises (in singular or plural)*** shall be construed to include any of the above and to be followed by the words "or any part thereof."

(e) Definitions.

(1) **Approved**. Approved by the Chief Codes Enforcement Official, Codes Officers, or other persons duly delegated with the authority to make determinations pursuant to this Article.

(2) **Building Code Official**. The employee or employees of the City designated by the City Manager as such.

(3) **Chief Codes Enforcement Official** and **Codes Officers**. The employee or employees of the City designated by the City Manager as such.

(4) **Dwelling Unit**. A single unit, whether comprising an entire structure or only a portion thereof, that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

(5) **Exterior Property**. The open space on the premises and on adjoining property under the control of the owner(s) or operator(s) of such premises.

(6) **Exterminate or Extermination**. The control and elimination of insects, rats, vermin, bats, or any other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, or trapping; or by any other approved pest elimination methods. Any and all methods of extermination employed must comply with applicable EPA and DHEC standards and must be administered in accordance and in compliance with applicable federal, State, and local laws.

(7) **Fire Marshall**. The employee or employees of the City designated by the City Manager as such.

(8) **Garbage**. The animal or vegetable waste resulting from the handling, preparation, cooking, and consumption of food.

(9) **Imminent Danger**. A condition that could cause serious or life-threatening injury or death at any time.

(10) **Junk**. Any appliance, motor vehicle, trailer, equipment, machine, or other product that is inoperable, partially inoperable, wrecked, partially wrecked, dismantled, partially dismantled, or discarded. The term "junk" also applies to parts or pieces of any of the above. Used cans, used bottles, used paper, discarded chemicals, construction debris, and other such salvage or scrap are junk for the purposes of this Article. Any motor vehicle that does not have lawfully affixed thereto an unexpired license tag or otherwise is not in a condition approved or suitable for highway or street operation shall be deemed "junk."

(11) **Infestation**. The presence within, or contiguous to, a structure or premises of insects, rats, bats, vermin, or other pests.

(12) **Let for Occupancy or Let**. To permit, provide, or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premises, or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement, or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

(13) **Noncompliance**. With respect to a structure, equipment, property, or premises, the failure to comply in one or more respects with the substantive standards of this Article.

(14) **Occupancy**. The purpose for which a building or portion thereof is utilized or occupied.

(15) **Occupant**. Any individual living or sleeping in a building, or having possession, use, care, or custody of a space within a building.

(16) **Operator**. Any person who has use, charge, care, or control of a structure or premises that is let or offered for occupancy.

(17) **Owner**. Any person, individual, firm, corporation, partnership, group acting as a unit, agent, operator, firm, or other legal entity having a legal, financial, or equitable use or interest in the property; or any person, individual, firm, corporation, partnership, group acting as a unit, agent, operator, firm, or any other legal entity recorded in the official records of the State of South Carolina, Sumter County, or the City as holding title to the property; or any person, individual, firm, corporation, partnership, group acting as a unit, agent, operator, firm, or other legal entity otherwise having control or use of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

(18) **Person**. Any individual, firm, corporation, partnership, other group acting as a unit, or any legal entity.

(19) **Pests**. Insects, rats, bats, pests, or other non-human creatures whose presence in a structure or premise may negatively affect the appearance, cleanliness, or market value of a structure or premises for humans or the health or safety of its occupants. If the volume or number of non-human creatures present at a location adversely affects

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human health, safety, or livability, the non-human creatures are vermin for purposes of this Article.

(20) **Premises**. A lot or parcel of land including any structures thereon.

(21) **Rooming House**. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

(22) **Rooming Unit**. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

(23) **Rubbish**. Combustible and noncombustible waste materials, except garbage. The term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust, and other similar materials.

(24) **Structure**. That which is built or constructed on a premises or a portion thereof.

(25) **Structure unfit for human use**. A structure, whether intended for human habitation or not, that constitutes a health or safety hazard to the occupants or users of the structure or to the public in general. Conditions that may be considered in determining whether a structure is unfit for human use include but are not limited to excessive disrepair; excessive lack of maintenance; dilapidation; unsecured doors, windows, or other openings; lack of proper sanitation; infestation with vermin; contamination; and lack of plumbing, water, heat, electricity, or other essential equipment required by this Article or by other applicable laws.

(26) **Tenant**. A person, corporation, partnership, or other legal entity, whether or not the legal owner of record, occupying a structure or portion thereof as a unit.

(27) **Unlawfully Occupied Structure**. A structure occupied by more persons than permitted by law or a structure erected, altered, or occupied in violation of the law.

(28) **Unsafe structure**. An unsafe structure is one that is so damaged, decayed, dilapidated, structurally unsound, poorly constructed, or unstable that (1) it is a fire hazard, (2) a partial or complete collapse of the structure is possible; or (3) it presents an imminent danger.

(29) **Unsafe equipment**. Unsafe equipment includes any moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises that (1) is not being used for its intended purpose, (2) has not been lawfully or correctly installed, (3) is not approved for use in a structure, or (4) is in such disrepair or poor condition that such equipment is a hazard to public health and safety or the health and safety of its occupants.

(30) **Unsecured structure**. A structure without external doors; a structure that contains external doors and windows that are broken, unsound, incapable of being locked or otherwise secured; a structure that contains holes or openings in its external walls; or a

structure that otherwise presents a material risk of being entered by a person without permission.

(31) **Vermin.** Insects, rats, bats, pests, or other non-human creatures present in a structure or premises in a volume or number that adversely affects human health, safety, or livability.

(32) **Violation.** With respect to a structure, equipment, property, or a premises, a material and identified noncompliance with one or more of the substantive standards of this Article.

(33) **Weeds.** Weeds shall be defined as all grasses, annual plants, and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.

(34) **Workmanlike.** Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged, and without marring adjacent work.

(35) **Yard.** An open space on the same lot with a structure.

PART THREE: INSPECTION

18-220. Right to Entry

(a) The Chief Codes Enforcement Officer or any Codes Officer may enter onto the premises of a structure, though not into the structure itself, at reasonable times for the purposes of any one or more of the following:

(1) investigating a complaint of noncompliance or violation;

(2) investigating any noncompliance or violation visible from the road or in plain view; or

(3) investigating any noncompliance or violation visible from any location at which the City representative is entitled to be at the time the violation is noted.

(b) City representatives entering onto the premises may inspect the premises, any externally visible equipment or property, and/or the exterior or outside of any structure on said premises.

(c) At all other times and under all other circumstances, the Chief Codes Enforcement Officer or any Codes Officer may enter to inspect the premises or enter inside any structure on the premises after requesting and receiving approval to enter from an owner, occupant, or person with care, custody, or control of the premises.

(d) If the owner, occupant, or person with care, custody, or control of the premises withdraws approval and/or requests that the inspection cease, the representative will promptly leave the premises and pursue legal remedies as provided by this ordinance and other laws, including but not limited to legal action, prosecution, and/or revocation of any permit(s) issued pursuant to this code.

(e) During inspections, representatives of the City will have visible identification on their person and will provide further information upon request of an owner, occupant, or person with care, custody, or control of the premises.

PART FOUR: NOTICE PROCEDURES AND SERVICE OF NOTICE

18-230. Notice of and Corrective Action Required

(a) When repairs, corrections, or demolition are required, the City may initiate action under the authority of this ordinance by providing written notice of same.

(b) Formal notices issued pursuant to this Article must:

(1) be in writing;

(2) describe the structure, equipment, property, or premises sufficiently for identification;

(3) include a statement of the noncompliance or violation and why the notice is being issued;

(4) include a correction order allowing a reasonable time to make repairs and improvements or to undertake demolition required to bring the structure, equipment, property, or premises into compliance with this code. The time for corrective action to begin must be consistent with the nature of the noncompliance or violation and the extent of the action required to remedy the noncompliance or violation, but in no case less than three (3) business days or more than thirty (30) calendar days. The time for corrective action to be completed must be consistent with the nature of the noncompliance or violation noted and the extent of the action required to remedy the noncompliance or violation, but in no case less than seven (7) calendar days or, as in instances of extensive construction work, more than six (6) months;

(5) include a statement of the right and intent to file a lien against the property in accordance with Section 5-7-80 of the South Carolina Code of Laws; and

(6) inform the recipient of the notice of the right to appeal and set forth the conditions and requirements of appeal.

(c) As notice to the public, notices issued pursuant to this Article may also be recorded in the Office of the Sumter County Register of Deeds in a manner acceptable to that Office.

18-231. Service of Notice

(a) Notice is properly served by personally delivering such notice to the person to be served or by leaving a copy of the notice at the person's dwelling unit or usual place of abode with some person of suitable age and discretion then residing therein, or by delivering a copy to an agent authorized by appointment or by law to receive service of process. An agent named in a Registration Statement filed pursuant to Part 12 hereof is conclusively presumed to be the proper person to receive service of process with respect to the Covered Property to which such Registration Statement relates.

(b) Proper service may also be accomplished by certified mail with return receipt requested or priority mail with delivery confirmation. If the letter is returned showing that the letter could not be delivered or was refused, proper service may be accomplished by (1) posting notice in a conspicuous place in or about the structure, equipment, property and/or premises affected by such notice; (2) placing a copy of such notice in the U.S. Mail postage paid to the last known address of the person to be contacted to any address on file with the Sumter County Treasurer for mailing tax notices, or to any address for such person on file with the Secretary of State for South Carolina; and (3) filing a copy of such notice with the Sumter County Register of Deeds.

(c) Once initial notice is served pursuant to (a) or (b) above, subsequent communications concerning the subject property will be effective if served as set forth in (a) or (b) above or if mailed to the last known address of the person to be contacted, and if this fails, then to the address on file with the Sumter County Treasurer for mailing tax notices, the address on file with the Secretary of State, the address on file with the United States Post Office, or the last known address of owner, occupant, or other person or legal entity being noticed.

PART FIVE: MAINTENANCE AND REPAIR REQUIREMENTS

18-240. Standard for Repairs and Maintenance Work

All repairs, maintenance work, alterations, installations, and all other work required directly or indirectly by this Article must be completed in a timely manner and carried out in a professional and workmanlike manner. Said work must be completed in accordance with the manufacturer's installation instructions and all applicable codes and laws.

18-241. Use of Alternative Materials, Methods, and Equipment

Materials, equipment, or methods of construction not specifically named but not specifically prohibited by this Article or other law may be used if (a) said materials, equipment, or methods are at least the equivalent of those required herein, (b) use of said materials, equipment, or methods are otherwise lawful, and (c) the alternate materials, equipment, or methods are approved by the City in writing prior to use. Whenever there is insufficient evidence to determine if the alternate material, equipment, or method meets or exceeds the requirements of this Article, the City may require testing and confirmation of suitability at the expense of the person or persons who wants to use the alternate material, method, or equipment. Failure to conduct testing and analysis or to obtain pre-approval as required is prima facie evidence that the method, equipment, or material is not approved for use.

PART SIX: STRUCTURE AND PREMISES; INTERIOR AND EXTERIOR MAINTENANCE

18-250. General Minimum Standards

(a) The exterior and interior of a structure shall be maintained in good repair, structurally sound, and sanitary so as not to pose a threat to the public health, safety, or welfare.

(b) At a minimum all dwelling units shall have:

(1) access to a code compliant exit from the building and from every room used for sleeping;

(2) fresh water from a South Carolina Department of Health and Environmental Control approved well or from a public water system supplied to the individual building through an on-site water meter;

(3) on-site sanitary waste disposal from a South Carolina Department of Health and Environmental Control approved septic system or from a public wastewater system;

(4) electricity from a public utility company provided through an on-site electric meter or city-approved alternative power source;

(5) an approved source of heat from October 1st through May 1st; and

(6) a lock for all exterior doors.

(c) No structure, property, or premises shall contain unsafe equipment that compromises the health, safety, welfare, sanitary condition, structural soundness, or appearance of such structure, property, or premises, or that creates an imminent danger.

(d) No property or premises shall contain an unlawfully occupied structure.

18-251. Protective Treatment

All exterior surfaces visible to the public or discernable from a public place shall be maintained. Exterior surfaces include but are not limited to doors, door and window frames, cornices, porches, trim, balconies, decks, and fences. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by periodic painting or application of other protective covering or treatment. All siding and masonry, joints (including without limitation those between the building envelope and the perimeter of windows), doors, and skylights shall be maintained to be weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion.

18-252. Structural members

All structural members shall be capable of safely supporting the imposed dead and live loads.

18-253. Exterior Walls

All exterior walls or enclosures shall be free from holes, breaks, and loose or rotting materials, and maintained to be weatherproof and properly surface coated where required to prevent deterioration.

18-254. Roofs and drainage

The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof water shall not be discharged in a manner that creates a public nuisance.

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18-255. Stairways, decks, porches, and balconies

Every exterior stairway, deck, porch, and balcony, and all appurtenances attached thereto, shall be maintained to be structurally safe and sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

18-256. Chimneys and towers

All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained to be structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating material, such as paint or similar surface treatment.

18-257. Window, skylights, and door frames

Every window, skylight, door, and frame shall be kept in sound condition, good repair, and weather tight.

18-258. Motor vehicles

Motor vehicles must be parked in driveways or other designated parking areas and in no case across the sidewalk or in the yard. A designated parking area must be surfaced with asphalt, concrete, brick, or other suitable pavers. Gravel or crushed stone may be used if gravel is at least two inches deep throughout the vehicular use areas and the vehicular use area has a visible and definable edge made of landscape timbers, metal edging, vegetation such as low shrubs or decorative grasses or similar technique to distinguish the vehicular use area from the yard. Except as provided for in other regulation, no inoperative motor vehicle shall at any time be parked, kept, or stored in the yard for more than one initial period of ten days. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled in the yard or at any location visible to the public. If the work is performed inside a structure or other fully enclosed area designed and approved for such purposes, a vehicle may undergo major overhaul, including body work, on the premises. However, painting of vehicles is prohibited unless conducted inside an approved spray booth.

PART SEVEN: HEALTH AND SANITATION MAINTENANCE

18-260. Accumulation of Rubbish or Garbage

All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

18-261. Disposal of Garbage

(a) Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. Every occupant shall be responsible for ensuring that any such garbage container shall be removed from the street curb and returned to the side or rear of the structure by the evening of the day of City garbage collection for that property.

(b) The City will not pick up carpet, computers, televisions, and other types of electronic waste, mattresses, tires, toilets, building materials, furniture, white goods, or other appliances. If these

items are on the property or premises, they are considered junk for the purposes of this ordinance.

(c) If the items indicated in (b) above are not removed by the owner or tenant, the City may choose to remove the items. The costs of removing the junk, rubbish, and/or garbage from the property and all related action by the City shall be billed to the owner and other persons with a legal interest in the property. If the owner fails to pay, the costs shall be assessed as a tax lien against the property to be collected by the Sumter County Treasurer.

(d) Except as otherwise specifically permitted by the laws and ordinances of the City, or into receptacles or containers approved for such use, no entity or individual shall dump, deposit, or place any garbage, rubbish, trash debris, yard waste, building materials, or junk on any public or private property, whether owned by such entity or individual or not.

18-262. Sanitation

All exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The owners, occupants, and/or all persons who use, occupy, or have actual or legal care, custody, or control shall keep that part of the exterior property that such occupant occupies or controls in a clean and sanitary condition.

18-263. Grading and Drainage

All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon; provided, however, that the premises may contain one or more approved retention areas and reservoirs.

18-264. Weeds, Waste, and Dilapidation

(a) The growth of grass, weeds, or undergrowth other than trees, bushes, flowers, or other ornamental plants above the height of one foot, or the presence of dilapidated structures, unsecured structures, junk, rubbish, debris, garbage, offal, stagnant water, glass, tree trimmings or limbs, wood, unsightly materials or conditions, or any matter, material, or condition harmful to the public health, safety, welfare, or sanitation or that creates an imminent danger is hereby declared to be a public nuisance.

(b) It shall be the duty of every person with ownership, use, care, custody, or control of real property at all times to maintain said property, the space between the property line and the street (including between any sidewalk and curbline), and in the front, rear, and along the sides thereof in accordance with this Article and all local property maintenance codes.

(c) A person with ownership, use, care, custody, or control of real property includes but is not limited to any owner of record, landlord, tenant, adult resident, adult user, adult occupant, real estate agency or agents, and/or any other person who uses the property, cares for the property, maintains the property, controls the property or obtains an economic benefit from the use or maintenance of the property.

(d) It is unlawful for any person with ownership, care, custody, or control of real property to cause or allow dilapidated structures, unsecured structures, junk, rubbish, debris, garbage, offal, stagnant water, glass, tree trimmings or limbs, wood, unsightly materials or conditions, or any

matter, material, or condition harmful to the public health, safety, welfare, or sanitation or that creates an imminent danger on said property. Said person must maintain all structures and keep said property clean and free of all dilapidated structures, unsecured structures, junk, rubbish, debris, garbage, offal, stagnant water, glass, tree trimmings or limbs, wood, unsightly materials or conditions, or any matter, material, or condition harmful to the public health, safety, welfare, or sanitation or that creates an imminent danger.

(e) It is unlawful for any person with ownership, care, custody, or control of real property that has been developed to allow grass, weeds, or overgrowth to grow above the height of one foot on said property, the space between the property line and the street, including between any sidewalk and curbline, in the front and in the rear and along the sides thereof. It is the responsibility of said person to ensure that grass, weeds, and undergrowth on the property are cut and mowed so that neither the grass, weeds, nor undergrowth shall grow above the height of one foot and to maintain real property as required by this article and the property maintenance code.

(f) Real property that has never been cleared or developed will be allowed to stay in its natural state except as follows:

(1) undergrowth, foliage, weeds, or grass that becomes a health or safety hazard must be mowed or cut to maintain grass, weeds, and undergrowth at or below the maximum height requirements of one foot.

(2) undergrowth, foliage, weeds, or grass which grows or extends into, on, or over any neighboring property, including but not limited to yards, fences, sidewalks, and roads, must be mowed or cut to maintain grass, weeds, and undergrowth at or below the maximum height requirement of one foot; and

(3) land that is being tilled and farmed on an annual basis must be cleared after the growing season to maintain grass, weeds, and undergrowth at or below the maximum height requirements of one foot. (The interpretation of "farmed" includes vegetable gardens as well as all other crops.)

(4) It is unlawful for any person with ownership, care, custody, or control of real property which has never been cleared or developed to allow any of the conditions set forth in Section 46-31 (c) (1) – (c) (5) on said property.

(g) All premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches (305 mm), with the exception of trees or shrubs, cultivated flowers, and gardens.

(h) The City may choose to correct the violation. The costs of cutting, mowing, or otherwise removing weeds and waste on the property and all related action by the City shall be billed to the owner and other persons with a legal interest in the property. If the owner fails to pay, the costs shall be assessed as a tax lien against the property to be collected by the Sumter County Treasurer.

18-265. Vermin Harborage

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All structures and exterior property shall be kept free from rodent, pest, or vermin harborage and infestation. Where rodents, pests, or vermin are found, they shall be promptly removed or exterminated by approved processes that comply with Federal, State, and local standards and that will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent, pests, or vermin harborage and prevent re-infestation.

18-266. Junk

No real property, land, or premises shall be used for the storage of junk except:

(a) In a junkyard, salvage yard, or other land where such storage is a permitted use under the City Zoning Ordinance;

(b) In an enclosed building where such storage is a permitted use under the City Zoning Ordinance;

(c) In cases where such storage is incidental to the operation of a business being operated on such land consistent with the provisions of the of the City Zoning Ordinance and all other applicable requirements of the City of Sumter and where such storage is not specially prohibited by the zoning ordinance or any other applicable ordinance, law or regulation, provided that the possession of a business license for a home-occupation business does not by itself confer any rights to store junk on the premises; and

(d) In cases where such storage is incidental to the residential use of property, where such storage is located in a fully fenced rear yard, is fully screened and not visible from neighboring properties or from the public right-of-way, and does not present a health or safety hazard.

PART EIGHT: COMPLETION OF CONSTRUCTION ACTIVITIES

18-270. General

(a) Any work on or modifications of existing structures, equipment, property, and premises meet the standards and conditions set forth in this Article and be completed in a timely manner, regardless of whether said work is voluntarily initiated or is the result of a notice of noncompliance or violation of this Article.

(b) All work required to correct a violation or to bring structures, equipment, property, and premises into compliance with this Article must be completed in a timely manner.

18-271. Building Permits

(a) If a building permit is required to perform work on or modifications of existing structures, equipment, property, and premises, the building permit must be obtained prior to beginning said work or modification, regardless of whether said work or modification is the result of a notice pursuant to this Article.

(b) If a building permit is required to perform said work or modification, the permit must be obtained prior to beginning said work or modification.

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PART NINE: DWELLINGS UNFIT FOR HUMAN HABITATION

18-280. Statement of Authority; Findings; Definitions

(a) This Part Nine of Chapter 18, Article VII is enacted pursuant to Title 31, Chapter 15, Article I of the South Carolina Code of Laws of 1976, as amended.

(b) The City has found by proper legislative action that there exists in the City dwellings that are unfit for human habitation due to (a) dilapidation, (b) defects increasing the hazards of fire, accidents or other calamities, (c) lack of ventilation, light or sanitary facilities, and (d) other conditions rendering such dwellings unsafe or unsanitary, dangerous, or detrimental to the health, safety, or morals or otherwise inimical to the welfare of the residents of the City. The City has therefore determined to exercise its police powers to repair, close, or demolish such dwellings in the manner provided in this Part Nine.

(c) Terms used and not otherwise defined in this Part Nine have the meanings given to such terms in Title 31, Chapter 15, Article I of the South Carolina Code of Laws of 1976, as amended.

18-281. Notice and Hearing; Corrective Action

(a) The Chief Codes Enforcement Official, the Building Code Official, and the Fire Marshall are designated or appointed to exercise the powers prescribed by this Part Nine.

(b) The Building Code Official may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling that are dangerous or injurious to the health, safety, or morals of the occupants of such dwelling, the occupants of neighboring dwellings, or other residents of such municipality. Such conditions may include the following (without limiting the generality of the foregoing): Defects therein increasing the hazards of fire, accident, or other calamities; lack of adequate ventilation, light, or sanitary facilities; dilapidation; disrepair; structural defects; or uncleanliness.

(c) The Fire Marshall may determine that a dwelling is unfit for human habitation if he finds that conditions exist in such dwelling as listed above that relate to hazards of fire or public safety. In such event, the procedures listed below shall apply, except that the Building Codes Official shall incorporate the determinations of the Fire Marshall into his deliberations.

(d) Whenever it appears to the Chief Codes Enforcement Official or any Codes Officer that a dwelling is unfit for human habitation, such officer may, in his discretion, pursue relief under the other provisions of this Article or may institute proceedings under this Part Nine. If such officer determines to institute proceedings under this Part Nine and if his preliminary investigation shall disclose a basis for such charges, then such officer shall issue and cause to be served upon the owner of and all parties in interest in such dwelling a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Building Code Official or his designated agent at a place therein fixed not less than ten days nor more than thirty days after the serving of such complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the public officer.

(e) If, after such notice and hearing, the Building Code Official or his designee determines that the dwelling under consideration is unfit for human habitation, he shall state in writing his findings of fact in support of such determination and shall issue and cause to be served upon the owner thereof an order:

(1) if the repair, alteration or improvement of the dwelling can be made at a reasonable cost in relation to the value of the dwelling (it being presumed that less than fifty percent of such value shall be a reasonable cost), requiring the owner, within the time specified in the order, to repair, alter or improve such dwelling to render it fit for human habitation or to vacate and close the dwelling as a human habitation; or

(2) if the repair, alteration or improvement of the dwelling cannot be made at a reasonable cost in relation to the value of the dwelling (it being presumed that less than fifty percent of such value shall be a reasonable cost), requiring the owner, within the time specified in the order, to remove or demolish such dwelling;

(f) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the dwelling, the Building Code Official may cause such dwelling to be repaired, altered, or improved or to be vacated and closed. The Building Code Official may cause to be posted on the main entrance of any dwelling so closed, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."

(g) If the owner fails to comply with an order to remove or demolish the dwelling, the Building Code Official may cause such dwelling to be removed or demolished.

(h) The cost of such repairs, alterations, or improvements, vacating and closing, and removal or demolition by the Building Code Official shall constitute a lien against the real property upon which such cost was incurred and shall be collectible in the same manner as City taxes.

18-282. Service of complaints or orders; posting and filing copies

Complaints or orders issued by the Building Code Official pursuant to this Part Nine shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the Building Code Official in the exercise of reasonable diligence and the Building Code Official shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing it once each week for two consecutive weeks in a newspaper printed and published in the City. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the Sumter County Clerk.

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18-283. Rights of persons affected by orders

Any person affected by an order issued hereunder by the Building Code Official may within sixty days after the posting and service of the order (but not thereafter) petition the circuit court for an injunction restraining the Building Code Official from carrying out the provisions of the order and the court may, upon such petition, issue a temporary injunction restraining the Building Code Official pending the final disposition of the cause. Hearings shall be had by the court on such petitions within twenty days or as soon thereafter as possible and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings the findings of the City Building Code Official as to facts, if supported by evidence, shall be conclusive. Costs shall be in the discretion of the court. The remedies herein provided shall be exclusive remedies and no person affected by an order of the City Building Code Official shall be entitled to recover any damages for action taken pursuant to any order of the Building Code Official or because of compliance by such person with any order of the Building Code Official.

18-284. Powers of the City Building Code Official

The Building Code Official may exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Part Nine. In addition to all other powers directly or indirectly conferred upon the Building Code Official by the Sumter City Code, the Building Code Official shall have the following powers with respect to this Part Nine:

(a) to investigate the dwelling conditions in the City in order to determine which dwellings therein are unfit for human habitation;

(b) to administer oaths and affirmations, examine witnesses, and receive evidence;

(c) to enter upon premises for the purpose of making examinations, provided such entries be made in such manner as to cause the least possible inconvenience to the persons in possession;

(d) to appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purposes of the ordinances; and

(e) to delegate any of his functions and powers under the ordinances to such officers and agents as he may designate.

18-285. Sale of Materials of Removed or Demolished Dwelling

If a dwelling is removed or demolished by the Building Code Official he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the circuit court by the public officer, shall be secured in such manner as may be directed by such court, and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.

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PART TEN. GENERAL DEMOLITION PROCEDURES

18-290. Powers Cumulative

The powers and procedures set forth in this Part Ten are in addition to and supplemental of the provisions of Part Nine of this Article VII.

18-291. Structures Unfit for Human Use

(a) If vacant, empty, or unoccupied structures, equipment, or premises are found to be unfit for human use, the City will notify the owner and/or other persons responsible under this Article. The notice will be issued and served in accordance with this Article.

(b) The notice must identify the problem(s), indicate a date by which the property in question must be closed and secured, and set forth a date by which demolition or correction of all problems and issues that make the property unfit for human use must be complete.

(c) If the owner or persons responsible pursuant to this Article fail to comply with any conditions of said notice by the date(s) specified, the City may close and secure the location. If the City closes the location, it will post a placard on or about the location reading "Condemned." Notice advising of the penalties for occupying the premises or removing the placard will also be posted. A notice identifying the problems with the property and the date(s) for correction will also be posted.

(d) Upon notice that all necessary corrective action has been completed and the property is fit for occupancy, the City will inspect the property. If all impediments have been corrected, the City will remove the condemnation placard from the property.

(e) The costs of securing the property and all related action by the City shall be billed to the owner and other persons with a legal interest in the property. If the owner fails to pay, the costs shall be assessed as a tax lien against the property to be collected by the Sumter County Treasurer.

18-292. Notice, Closing, and Corrective Action on Property Be Demolished

(a) When a structure is a fire hazard, a threat to public health or safety, unfit for human use, or a cause of imminent danger, the City may serve a demolition notice to owners and/or any person as set forth in this Article.

(b) The demolition notice must advise of a date by which the property must be secured and a date by which the identified violations must be removed. The demolition notice must also identify the problem(s) or violation(s) to be corrected at the property in questions. Notice will be issued and served in accordance with this Article.

(c) The Building Code Official shall order the owner of any premises upon which is located any structure, that in the Building Code Official's judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if a structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owners option; or where there has been a cessation of normal construction of any structure

for a period of more than two years, the Building Code Official shall order the owner to demolish and remove such structure, or board up until future repair.

18-293. Failure to Comply

(a) If the owner of a premise fails to comply with any provision of a demolition notice within the time prescribed, the City may cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons. The cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(b) If a structure is demolished pursuant to this Article, the City shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amount deducted, for the person who is entitled thereto, subject to any order of a court. If such surplus does not remain to be turned over, the report shall so state.

PART ELEVEN: PROHIBITED ACTS

18-300. Criminal Misdemeanor to Violate Provisions of this Article

It shall be unlawful to violate any provision set forth in this Article. Noncompliance with any portion of this Article constitutes a misdemeanor triable in municipal court. A misdemeanor conviction is punishable in Section 1-7 of the City of Sumter Code of Ordinances. Each day of violation or noncompliance constitutes a separate offense.

18-301. Failure to Complete Work

(a) It shall be unlawful to fail to complete work on or modifications of existing structures, equipment, property, or premises, or in a timely manner, regardless of whether said work or modification is the result of a notice of noncompliance with or violation of this Article.

(b) It shall be unlawful to fail to complete work as required by notice of noncompliance or a violation, or in a timely manner.

(c) The absence of a valid and active building permit at a location with unfinished repairs or modifications is *prima facie* evidence of failure to complete work.

(d) The absence of work or progress on unfinished repairs or modifications for six (6) consecutive months or more is *prima facie* evidence of failure to complete work.

18-302. Unlawful to Sell or Otherwise Encumber Property After Notice Pursuant this Article Without Notice to Transferee, Mortgagee, etc.

After notice has been received or served or any order posted or issued pursuant to this Article, it is unlawful for the owner or any person with actual or constructive knowledge of the notices, postings, or orders to participate or benefit from the sale, transfer, mortgage, lease, or other disposal of structures, equipment, property, or premises that is the subject of said notice or order unless (a) full compliance has been met prior to said action, or (b) the grantee, transferee, mortgagee, or lessee accepts full

responsibility to take all necessary steps to bring the structures, equipment, property, or premises into compliance with this Article without further notice, without exception, and without additional time beyond that allowed to the seller.

18-303. Unlawful to Remove Placard or Notice

It shall be unlawful for any person to deface, disregard, or remove a condemnation placard prior to correction of impediments and without the approval of the City.

18-304. Occupancy or Use of Placarded Property

(a) It shall be unlawful for any person to operate equipment or occupy a premises or structure after a placard of condemnation has been issued to said property.

(b) It shall be unlawful for any owner or any person responsible for structures, equipment, property, or premises to allow use or occupancy of said property after a placard of condemnation has been issued.

18-305. Repair and Replacement of Structure's "Boarded" Openings and Other Emergency/Temporary Measures

(a) All structures shall be secure. A structure with broken doors, broken windows, or other damage requiring immediate or emergency measures to secure the structure may be secured with boards and other materials as a temporary or stopgap measure. Said temporary repairs must be replaced with permanent correction as soon as possible.

(b) It shall be unlawful for any person to cover, for a period in excess of one hundred eighty (180) days, the window or door openings of any occupied dwelling unit with any material other than window or door materials conforming to the Building Code governing the residential areas of the City of Sumter at that time.

(c) It shall be unlawful for any person to allow boards or other temporary materials used to secure an occupied dwelling to remain in place for a period in excess of one hundred eighty (180) days.

(d) It shall be unlawful for any person to fail to replace within one hundred eighty (180) days all boards and other temporary materials used to secure an occupied dwelling. Replacement must be with permanent materials conforming to the Building Code governing the residential areas of the City at that time.

(e) Notwithstanding the foregoing, vacant, abandoned, or unoccupied structures; structures otherwise unfit for human use; or structures that are Registered under Part Twelve of this Article may be secured by boards without a time limitation.

18-306. Additional Penalties

In addition to prosecution in municipal court, violation of or noncompliance with any portion of this Article shall be:

(a) subject to legal action to cease, restrain, correct, prevent, or abate any violation of or noncompliance with this Article;

(b) subject to legal action to collect payment for work performed by the City to correct violations or noncompliance;

(c) subject to tax lien on the structures, equipment, property, or premises for work performed by the City to correct the violation or noncompliance; and

(d) subject to enforcement through any applicable State law or legal remedy

18-307. Appeals

(a) Appeals may be taken by any person aggrieved by any determination of a Codes Enforcement Officer by filing with the official from whom the appeal is taken, and with Chief Codes Enforcement Official, a notice of appeal specifying the grounds thereof and all documentation in support thereof, within 30 days after the determination appealed from was taken.

(b) An appeal stays all legal proceedings in furtherance of the action appealed from unless the official from whom the appeal is taken certifies to the Chief Codes Enforcement Official, after notice of appeal shall have been filed with him or her, that by reasons of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such a case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(c) The Chief Codes Enforcement Official shall review the appeal and any documentation submitted in support of opposition to the appeal and shall rule on the appeal within 30 days of appeal. An appeal shall be sustained upon an express finding by the Chief Codes Enforcement Official that the administrative official's action was based on an erroneous finding of a material fact, or that he or she acted in an arbitrary manner. In exercising his or her powers, the Chief Codes Enforcement Official may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from, and to that end shall have all the powers of the administrative official from whom the appeal was taken and may order the registration, or not, or removal, or not, from the registry provided all requirements imposed by the applicable laws other than these are met.

(d) Any person aggrieved by a decision of the Chief Codes Enforcement Official may appeal from such decision to the Sumter City Court, subject to applicable jurisdictional requirements, by filing with the clerk of said court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law. Such appeal shall be filed within 30 days after decision of the Chief Codes Enforcement Official is rendered.

PART TWELVE: VACANT PROPERTY REGISTRATION

18-310. Definitions

The following terms used or referred to in this Part Twelve shall have the following meanings:

(a) **Agent** shall mean an individual with a place of business in Sumter County, South Carolina, at which he or she is authorized to accept inquiries, notices, and service of process on behalf of a vacant or foreclosed real property owner.

(b) **Covered Real Property** means any Foreclosed Real Property or Vacant Real Property under this Part Twelve.

(c) **Foreclosed Real Property** shall mean improved or unimproved real property that is held pursuant to a judicial or non-judicial foreclosure of a mortgage, deed of trust, security deed, deed to secure debt, or other security instrument securing a debt or obligation owed to a creditor or a deed in lieu of foreclosure in full or partial satisfaction of a debt or obligation owed to a creditor.

(d) **Office of Code Enforcement** shall mean the City's office of code enforcement within the Sumter City-County Planning Commission.

(e) **Owner** shall mean any person or persons having any individual, joint, or common title or interest in real property recognized by the laws of the State of South Carolina as a legal or equitable estate or interest.

(f) **Registration** shall mean the filing of a registration statement with the City.

(g) **Registration Statement** shall mean the form(s) required to be filed with the City pursuant to this Part Twelve.

(h) **Registry** shall mean the official record, electronic or otherwise, of registration of structures required by this Part Twelve.

(i) **Street Address** shall mean the street or route address. Such term shall not mean or include a post office box.

(j) **Vacant Real Property** shall mean real property that is (1) intended for habitation and either (A) has not been lawfully inhabited for at least 60 days, or (B) has no evidence of utility usage within the past 60 days; or (2) is partially constructed or incomplete, without a valid building permit. Such term shall not include a building or structure containing multiple units with common ownership that has at least one unit occupied with evidence of utility usage. A dwelling that is vacant, as defined herein, shall be subject to registration notwithstanding the Owners' intent to lease such dwelling on a future date.

18-311. Registration

(a) Duty to Register. It shall be the affirmative duty of each Owner of real property to file a complete Registration Statement with the Office of Code Enforcement upon such property becoming Covered Real Property within the meaning of this Chapter.

(b) Transitory Period. Notwithstanding the foregoing, the filing of a Registration Statement shall not be required by this Chapter during the first 90 days following transfer of real property:

(1) Pursuant to a deed under power of sale or deed in lieu of foreclosure; or

(2) To the first subsequent transferee after the real property has been acquired by foreclosure;

provided that, ninety (90) days after either such transfer it shall be the affirmative duty of each Owner of Covered Real Property to file a complete Registration Statement with the Office of Code Enforcement.

(c) Exemption for Covered Owner-Occupied Residential Real Property Owned and Occupied by Active Duty Military Personnel. Notwithstanding sections (a) or (b) above, if an Owner of an interest of 25% or more in owner-occupied residential real property is on active duty military service but would otherwise be a resident of such property, then such Owner shall not be required to register such Covered Real Property or to pay any administrative fees hereunder.

(d) Penalties for Failure to Register or to Update. Any Owner that fails to register or to update the information required hereunder shall be in violation of this Part Twelve and shall be fined in the amount of $250 per Covered Real Property for each month in which the Owner fails to register such Covered Real Property. Each month of failure to register shall constitute a separate violation. The Sumter City Court may reduce the fine to $25 per Covered Real Property per month if he or she finds that registration or update, as the case may be, occurred within five business days of service of summons.

18-312. Registration Statement

(a) Registration Statement. The Office of Code Enforcement is authorized to prepare registry forms, in paper or electronic format. On such form, each registrant shall be required to file with the Office of Code Enforcement the following information:

(1) for each Owner, such Owner's name, street address, mailing address, phone number, facsimile number, and email address;

(2) the Agent's name, street address, mailing address, phone number, facsimile number, and email address;

(3) the real property's street address and tax parcel number;

(4) the transfer date of the instrument conveying the real property to the Owner(s); and

(5) at such time as it becomes available, recording information, including deed book and page numbers, of the instrument conveying the real property to the Owner.

(b) Updated Registration Statement. The Owner(s) shall notify the Office of Code Enforcement, within 30 days, of any change in the information provided in the Registration Statement and regardless of whether the information provided was in the deed under power of sale or deed in lieu of foreclosure, by filing an updated Registration Statement on a form provided by the Office of Code Enforcement for such purposes. There shall be no fee for the filing of an updated Registration Statement.

(c) Initial Validity/Renewal. The Registration Statement shall remain valid for 12 months from the date of the filing of the Registration Statement. In the event that ownership of a registered real property changes during this period, the new Owner(s) shall file an amended Registration

Statement within 30 days of accepting the vesting instrument. The Owner(s) shall be required to renew the Registration Statement for successive 12-month periods as long as the real property remains vacant for any part thereof.

18-313. Registration/Renewal Fee

At the time of the filing of the Registration Statement, the Owner(s) shall pay a registration fee in the amount set forth below for each vacant real property. No Registration Statement shall be deemed filed unless the fee has been paid.

First Annual Registration Statement	$10
Second Annual Registration Statement	$100
Third Annual Registration Statement	$500
Thereafter	$1,000

A Registration Statement will be deemed the first annual Registration Statement if the real property in question has been continuously occupied for at least four months since the date of the last annual Registration Statement filed with respect to that property. The Owner(s) of such real property shall bear the burden of proving that the real property was continuously occupied for at least four months.

18-314. Electronic Registration

The Office of Code Enforcement is authorized to administer, or contract for the administration of, the provisions of this Chapter pursuant to an electronic and/or web-based registry system for the registration of structures subject to this article.

18-315. Maintenance of Vacant Real Property

The Owner(s) of any Covered Real Property, shall, within 30 days after filing a Registration Statement, do the following:

(a) enclose and secure the building or dwelling as follows:

(1) all windows on all levels, through which access to the interior of the dwelling can be made, shall be secured from the interior of the building with plywood sheathing; and

(2) all exterior doors of the dwelling shall be secured from the exterior of the dwelling with ¾" exterior grade plywood; and

(b) post a sign affixed to the building or dwelling indicating the name, address, and telephone number of the Owner(s) and the Owners' Agent for the purpose of notice and/or service of process. The name, address, and telephone number of a person responsible for day-to-day supervision and management of the building or dwelling, if such person is different from the Owner(s) or Agent shall be indicated on the sign as well. The sign shall be of a size and placed in such a location so as to be legible from the nearest public street or sidewalk, whichever is nearer; and(c) maintain the building or dwelling in a secure and closed condition and maintain the sign until the building or dwelling is again occupied or demolished or until repair or completion of the building or dwelling has been undertaken.

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18-316. Removal from Registry

The Owner(s) of or the Agent for a Covered Real Property may apply to remove such Covered Real Property from the registry at such time as the real property no longer constitutes Covered Real Property. Application for removal from the registry shall be accompanied by corroborating documentation that the real property no longer constitutes Covered Real Property. Corroborating documentation need not, and shall not, include the names or other personal information of any tenant(s). The Office of Code Enforcement shall grant or deny such application within 30 days and in the case of denial shall provide notice to the Owner(s). If the Office of Code Enforcement does not grant or deny the application for removal from the registry within 30 days, the application shall be deemed granted.