

CHAPTER 7

FILLING AND DRAINING LOW LOTS^[1]

- Sec. 7-1. Duty of Superintendent of Streets and Maintenance.
- 7-2. Notice to owner to fill, drain, etc.; effect of failure to comply with notice.
- 7-3. Refusing to allow lot, etc. to be examined; obstructing, etc. officers, etc. in discharge of duties under this chapter.

Sec. 7-1. Duty of Superintendent of Streets and Maintenance.

When it shall appear to the Superintendent of Streets and Maintenance that any low lots or vacant grounds are in a condition to injure or endanger the public health it shall be the duty of the Superintendent of Streets and Maintenance to enter upon and thoroughly examine such lots or vacant grounds, and determine whether such lots or vacant grounds shall be drained, filled up, leveled, or otherwise so improved, to remove any nuisance complained of. Should the Superintendent be of the opinion that such lots or vacant ground ought to be filled up, leveled or drained, he shall submit a detailed report to the Town Council, setting forth the actual condition thereof, and suggesting the mode, materials and extent of such low lot or vacant grounds to be filled up, leveled or drained, upon which report the Town Council shall take such action as it may deem expedient. (8-12-12, S1)

Sec. 7-2. Notice to owner to fill, drain, etc.; effect of failure to comply with such notice.

In case the Town Council shall order the report of the Superintendent of Streets and Maintenance, made pursuant to Section 7-1- to be carried into effect, or shall direct any lot lots to be filled up, leveled or drained, it shall be the duty of the Town Clerk to serve a notice in writing on the owner of such lot lots or vacant grounds directing such owner to have such low lots or vacant places filled up, leveled or drained as the Town Council may require, to such an extent, in such manner, with such materials, and within such reasonable time as may be prescribed by such order.

Any owner who neglects or refuses to obey said order shall be guilty of a misdemeanor and shall be punished as provided in Section 1-7. In addition thereto, any such owner shall be subject to the procedures provided in Chapter 13 for the abatement of nuisances and threats to public health. (8-12-12, S2)

Sec. 7-3. Refusing to allow lot, etc., to be examined; obstructing, etc., officers, etc., in discharge of their duties under chapter.

If the owner or occupant of any lot or enclosure shall refuse to open the same and suffer it to be examined by the Superintendent of Streets and Maintenance, acting under the provisions of this chapter, or shall in anywise, molest, hinder, interrupt, obstruct or oppose the Superintendent of Streets and Maintenance, in the discharge of any of the duties prescribed in this chapter, or of the workmen, laborers or agents employed by the Town Council or by the Town Clerk in the performance of any work ordered by such Council or by the Clerk, in the execution of the duties required by this chapter, such owner or occupant or other person so offending shall be guilty of a misdemeanor and shall be punished in accordance with the provisions of Section 1-7. (8-12-12, S3)

[1] For Town's authority to remove nuisances, see S5-7-30, Code of Laws, SC 1976.

As to beaches generally, see Chapter 4 of this Code. As to permitting breeding, etc. of mosquitoes, see SS13-3-C and D, 14-14. As to removing soil, etc. generally, see S14-20.