

**RICHLAND COUNTY  
DEVELOPMENT AND SERVICES  
COMMITTEE**

**AGENDA**



**THURSDAY NOVEMBER 17, 2022**

**5:00 PM**

**COUNCIL CHAMBERS**



# Richland County Council 2021-2022



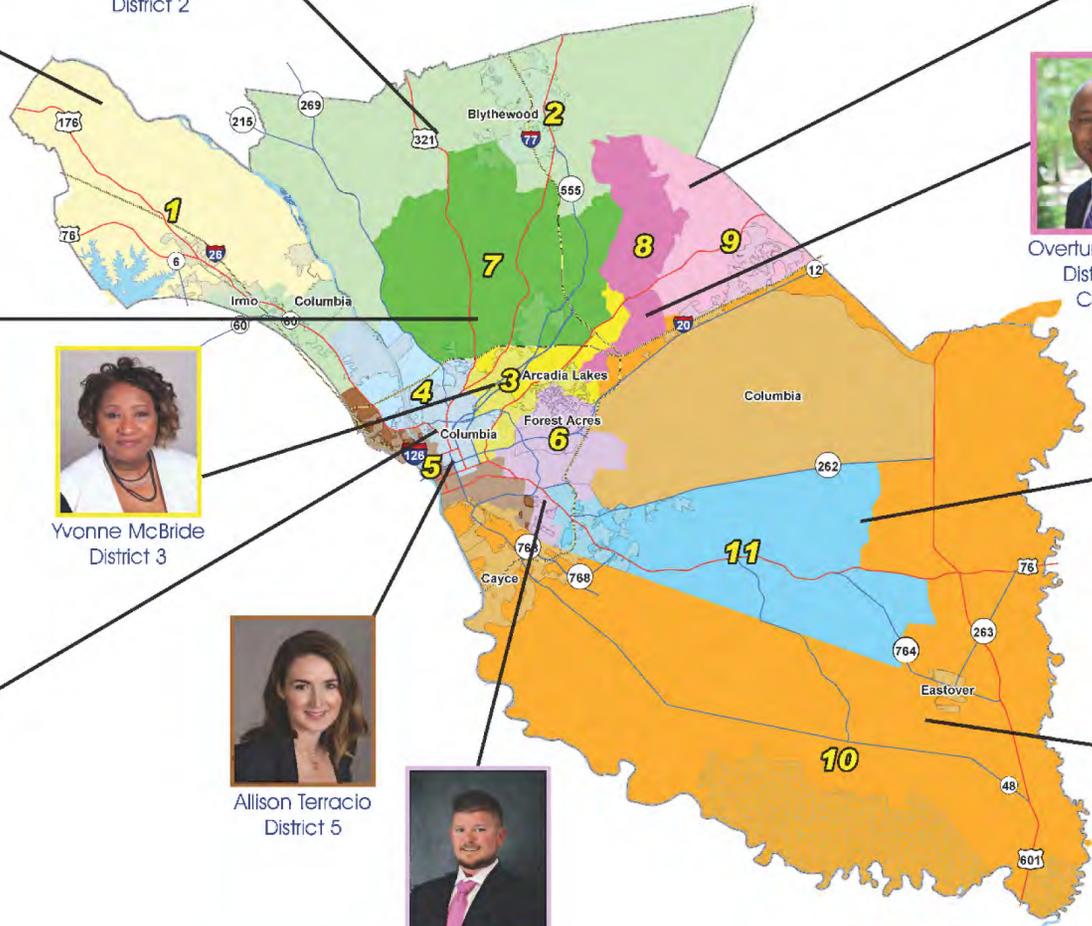
Bill Malinowski  
District 1



Derrek Pugh  
District 2



Jessica Mackey  
District 9  
Vice Chair



Overture Walker  
District 8  
Chair



Gretchen Barron  
District 7



Chakisse Newton  
District 11



Yvonne McBride  
District 3



Paul Livingston  
District 4



Allison Terracio  
District 5



Joe Walker, III  
District 6



Cheryl English  
District 10



**Richland County  
Development and Services Committee**

**AGENDA**

November 17, 2022 - 5:00 PM  
2020 Hampton Street, Columbia, SC 29204

The Honorable Derrek Pugh, Chair	The Honorable Allison Terracio	The Honorable Gretchen Barron	The Honorable Cheryl English	The Honorable Chakisse Newton
County Council District 2	County Council District 5	County Council District 7	County Council District 10	County Council District 11

1. **CALL TO ORDER** The Honorable Derrek Pugh
  
2. **APPROVAL OF MINUTES** The Honorable Derrek Pugh
  - a. October 25, 2022 [PAGES 5-8]
  
3. **ADOPTION OF AGENDA** The Honorable Derrek Pugh
  
4. **ITEMS FOR ACTION** The Honorable Derrek Pugh
  - a. I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance. [NEWTON and DICKERSON] [PAGES 9-18]
  
5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED** The Honorable Derrek Pugh
  - a. I move to direct the Administrator to conduct a review of the rank weeds and vegetation ordinance and recommend any updates that would improve the effectiveness of the ordinance particularly as it relates to safety, enforcement, and blight reduction. [Newton - August 30, 2022]

*\*\*Staff Update: Staff submits the following schedule regarding its efforts for the committee's awareness:*

- Jan-Feb 2023 – Research ordinances from other communities and industry best management practices
- Mar 2023 – Report on research findings to Committee

**6. ADJOURNMENT**

The Honorable Derrek Pugh



Special Accommodations and Interpreter Services Citizens may be present during any of the County’s meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council’s office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council  
Development and Services Committee Meeting  
**MINUTES**  
October 25, 2022 – 5:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Derrek Pugh, Chair; Allison Terracio, Gretchen Barron, Cheryl English, and Chakisse Newton.

OTHERS PRESENT: Bill Malinowski, Shirani Fuller, Jennifer Wladischkin, Susan O’Cain, Chelsea Bennett, Michael Byrd, Anette Kirylo, Leonardo Brown, Michael Maloney, Angela Weathersby, Justin Landy, Kyle Holsclaw, Stacey Hamm, Dale Welch, Aric Jensen, Michael Zaprzalka, Dante Roberts and Patrick Wright

1. **CALL TO ORDER** – Chairman Derrek Pugh called the meeting to order at approximately 5:00 PM.

2. **APPROVAL OF MINUTES**

a. September 27, 2022 – Ms. Newton moved to approve the minutes as distributed, seconded by Ms. Barron.

In Favor: Pugh, Terracio, Barron, English, and Newton.

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. English moved to adopt the agenda as published, seconded by Ms. Barron.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

a. Community Planning & Development – Building Inspections – South Carolina Building Codes Council Mandated 2021 Code Cycle – Ms. Terracio moved, seconded by Ms. Barron to forward to Council with a recommendation to adopt the 2021 Building Codes, appendices, and modifications mandated by South Carolina Building Codes Council as the standard for all residential and commercial construction. In addition, to adopt the 2021 International Property Maintenance Code, which is a permissive code, and not mandated.

Mr. Michael Zaprzalka, Building Inspections Director, stated the State adopted and implements the mandated codes. The International Property Maintenance Code is prescriptive and covered by the State Code in Sec. 6-9-60. In other words, you do not have to use the permissive code because you may not have that code. If you do have the permissive code, you can use it instead of drafting an ordinance to cover the program.

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Development and Services Committee  
October 25, 2022

In Favor: Pugh, Terracio, Barron, English and Newton.

The vote in favor was unanimous.

- b. Department of Public Works – Engineering Division – Comprehensive Transportation Improvement Plan (CTIP) budget and proposed projects for the Fiscal Year 2023 (FY23) – Ms. Barron moved, seconded by Ms. Terracio to forward to Council with a recommendation to approve the Comprehensive Transportation Improvement Plan (CTIP), the proposed budgets, and the proposed projects for FY23.

Ms. Newton noted on p. 155 the RDM Maintenance Area is divided into 3 areas: Ballentine, Eastover, and Northeast. She inquired if the whole county is divided into these 3 areas.

Ms. Shirani Fuller, County Engineer, responded those are the 3 areas by which the County’s Road Maintenance Department is divided. There is a section camp for each area, which assists with centralizing equipment and personnel.

Ms. Newton stated, for clarification, the priorities are based on the amount of County managed roads and/or County paved roads in each area. Then you allocate, proportionally, for each district based on the number of miles.

Ms. Fuller responded they use the pro rata, per the ordinance, to distribute the funding.

Ms. Newton inquired if there is an update on the Road Maintenance Fee.

Mr. Wright responded the State House did pass the bill, but a lawsuit has been filed.

Mr. Malinowski inquired why there are items regarding Transportation on both the D&S and A&F Committee agendas.

Ms. Fuller replied the D&S Committee is reviewing the CTIP Plan for the next fiscal year. The A&F Committee is looking at a specific project, which received a grant, and we are requesting to award a contract for said project.

Mr. Leonardo Brown, County Administrator, stated if it is determined by one or the other committee that it may be more appropriate to conjoin the items staff has no issue.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

## 5. **ITEMS FOR DISCUSSION**

- a. I move to direct the County Administrator to work with the County Attorney to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance. [NEWTON and DICKERSON] – Mr. Pugh issued an apology to staff and the previous Committee Chair for an insensitive statement he made at the September committee meeting regarding this specific motion.

Mr. Aric Jensen, Assistant County Administrator, stated the ordinance before the committee has been prepared by the County Attorney’s Office. In his professional opinion, it enacts the policies and procedures the committee has requested. It sets forth a registration system of “absentee landlords”. “Absentee landlords” are owners that reside more than 50 miles from Richland County or the property. He noted 50 miles is a figure used by the Federal government in multiple agencies to distinguish between local and outside. One of the key

things within the ordinance is the fact any property owner would need to register their name and contact information if they do not reside at the property. He noted no fee will be associated with the registration. It will utilize existing County resources, so there will be minimal costs to implement the program. Staff is recommending changing the procurement of a business license for two (2) properties instead of the current three (3) properties.

Ms. Barron stated we will depend on the landlord to provide us with information. She inquired if we have thought about how we will be able to capture information for individuals who may not have registered their property in the proper manner.

Mr. Jensen responded, as we go through the process, we are going to come across those sort of situations. They have a tentative plan for rolling this out by going through the business licenses. He noted we have a robust business license database. They have discussed reaching out to trade organizations, realtors, and property management associations to circulate the information. In addition, they will be utilizing the Assessor's data to try to rectify these situations.

Ms. Barron inquired if the recommendation is that we need to look at the number of properties a landlord has and loop the two together or deal with them separately.

Mr. Jensen replied the recommendation is to handle them jointly.

Mr. Patrick Wright, County Attorney, stated he recommended the business license and absentee landlord ordinance have the same standard.

Ms. Newton inquired, in addition to the ordinance, what are the other things we will need to do to make the ordinance effective.

Mr. Jensen stated he is not aware of any other steps that will need to be taken.

Ms. Terracio requested clarification on the following language:

*"Require that the owner of any non-owner-occupied residential property or unit provide and keep current within the County's online database a mailing address, phone number, and email address for an authorized agent located within 50 miles of the property; Require a business license for any person or entity that owns 2 or more non-owner-occupied residential units for lease, OR require that any person or entity that owns 2 or more non-owner occupied residential units for lease contract with a professional property management firm that has a current Richland County business license and that pays equivalent licensing fees."*

Mr. Jensen stated, for clarification, if the owner has more than 2 non-owner occupied residential units, they will be required to obtain a business license. The other issue is having someone (i.e. property management firm) within a 50-mile radius who can be contacted or served papers. There are three (3) scenarios:

1. The owner lives within the 50-mile radius and obtains a business license;
2. The owner lives outside of the 50-mile radius, obtains a business license, and contracts with a property management firm; or
3. The owner lives outside of the 50-mile radius and contracts with a property management firm that obtains the business license.

**6. ITEMS PENDING ANALYSIS: NO ACTION IS REQUIRED**

- a. Move to direct the County Administrator to evaluate current zoning laws that permit zoning designations for large residential developments to remain in perpetuity and present options

to re-evaluate and or rezone those properties if they are not developed within 7 years. Recommendations should include processes to ensure that zoning and the comprehensive plan remain consistent with the lived character of the community [Newton - July 13, 2021 - Ms. Barron moved to refer this item to the Planning Commission, seconded by Ms. English.

In Favor: Pugh, Terracio, Barron, English and Newton

The vote in favor was unanimous.

- b. I move to direct the Administrator to conduct a review of the rank weeds and vegetation ordinance and recommend any updates that would improve the effectiveness of the ordinance particularly as it relates to safety, enforcement, and blight reduction. [Newton - August 30, 2022] – Mr. Jensen stated, in general, weeds and vegetation ordinances are handled through quantitative measurements (height, location, etc.). It is his understanding, the issue that prompted the motion is related to trees and large growth. He noted that is a difficult issue to deal with. South Carolina’s climate encourages lush, green growth, so a practice of requiring a property owner to clear the vegetation within 10-ft. of their property line would be impractical. Staff is looking at creative ways to address the issues germane to our geographic area(s).
- c. Based on the below information no further action should be taken by the Planning Commission or Council related to the new Land Development Code (LDC) until the urban heat island map is completed. The expanding residential, commercial, and transportation infrastructure contributes to areas where temperatures are much warmer, and that could put people at risk of injury or death on hot days.

“This study will help demonstrate to local governments and others where we need to preserve undeveloped land and trees, plant additional trees or build other green infrastructure to reduce or prevent heat islands in Richland County,” (Quinton) Epps said. (Division Manager, Community Planning and Development Department)

The heat-mapping initiative aims to improve understanding of and guide action to reduce heat-health risks, encourage economic development and boost the area’s quality of life overall, therefore, before the council decides what zoning needs to be placed in specific areas without having that information would be a dereliction of our duties to the residents of the county. [Malinowski - August 30, 2022] – Mr. Wright noted the motion appears to direct the Planning Commission to do or not do something, which Council cannot do. He suggested amending the language of the motion as follows: “Based on the below information, the matter of urban heat mapping should be referred to the Planning Commission for consideration.”

Ms. Terracio moved to refer this item to the Planning Commission, seconded by Ms. Barron.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous.

- 7. **ADJOURNMENT** – Ms. Barron moved to adjourn the meeting, seconded by Ms. English.

In Favor: Pugh, Terracio, Barron, English, and Newton

The vote in favor was unanimous

The meeting adjourned at approximately 5:39 PM.



**Agenda Briefing**

<b>Prepared by:</b>	Aric Jensen, AICP	<b>Title:</b>	Assistant County Administrator
<b>Department:</b>	Administration	<b>Division:</b>	
<b>Date Prepared:</b>	November 3, 2022	<b>Meeting Date:</b>	November 17, 2022
<b>Legal Review</b>	Patrick Wright via email	<b>Date:</b>	November 8, 2022
<b>Budget Review</b>	Abhijit Deshpande via email	<b>Date:</b>	November 7, 2022
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	November 7, 2022
<b>Approved for consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject</b>	Absentee Landlord Ordinance and Registration		

**RECOMMENDED/REQUESTED ACTION:**

Staff recommends approval of proposed ordinance amendments and business license amendments to full Council.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If not, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

At this time no additional personnel or equipment are required to implement the proposed ordinance amendments; however, as population and development increases, there will need to be a commensurate growth in personnel to administer and enforce these statutes and practices.

*Applicable department/grant key and object codes:*

**OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:**

Not applicable

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

There are no legal concerns regarding this matter.

**REGULATORY COMPLIANCE:**

Not applicable

**MOTION OF ORIGIN:**

I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance.

Council Member	Chakisse Newton, District 11, and Joyce Dickerson, formerly District 2
Meeting	Regular Session
Date	November 19, 2019

**STRATEGIC & GENERATIVE DISCUSSION:**

*Background*

At the July 28, 2022 D&S Committee Meeting, the Committee directed the Administrator to perform two tasks and to present the work product for consideration at the September 27 Meeting:

First, to create an online portal and database for absentee landlord registration using an existing software platform such as E-Trackit (which is currently used for entering and processing land use permit related applications).

Second, as necessary, amend the County Code to:

- Affirmatively state that a property owner, property manager, and any tenant may be cited and held responsible for the violation of a county ordinance related to zoning, building safety, and property maintenance;
- Affirmatively state that any County Code Enforcement Officer or Public Safety Officer can issue a citation for any violation of a County code;
- Require that the owner of any non-owner-occupied residential property or unit provide and keep current within the County’s online database a mailing address, phone number, and email address for an authorized agent located within 50 miles of the property;
- Require a business license for any person or entity that owns 2 or more non-owner-occupied residential units for lease, OR require that any person or entity that owns 2 or more non-owner-occupied residential units for lease contract with a professional property management firm that has a current Richland County business license and that pays equivalent licensing fees.

At the September 27, 2022 meeting, the Committee reviewed the proposal and directed staff to prepare a response in the form of an addendum in advance of the October 11, 2022 meeting.

At the October 11, 2022 D&S Committee Meeting, the Committee reviewed the materials provided in the briefing addendum, asked questions of staff, but did not request any additional changes or modifications. As such, the item is now properly before the Committee for action.

### *Updated Work schedule*

- 01-Mar-2022 Workgroup committee meeting #1, 1st Draft workplan completed
- 01-Apr-2022 Workgroup committee meeting #2, 2nd Draft workplan completed
- 24-May-2022 Workplan update to D&S Committee
- 27-Jun-2022 Presentation and Committee Direction
- 26-Jul-2022 Committee Direction to Prepare Ordinance Language
- 27-Sep-2022 D&S Committee Review and Direction
- 11-Oct-2022 Committee Review
- ★ 17-Nov-2022 Committee Action
- 13-Dec-2022 County Council First Reading
- TBD Feb-2023 County Council Public Hearing and Second Reading
- TBD Mar-2023 County Council Third Reading

### **ADDITIONAL COMMENTS FOR CONSIDERATION:**

An Addendum was provided to the Committee at the 11 October 2022 meeting in response to questions from the Committee Members.

### **ATTACHMENTS:**

1. Agenda Briefing Addendum
2. Proposed Ordinance Language



**Agenda Briefing Addendum**

<b>Prepared by:</b>	Aric Jensen, AICP	<b>Title:</b>	Assistant County Administrator
<b>Department:</b>	Administration	<b>Division:</b>	
<b>Date Prepared:</b>	October 11, 2022	<b>Meeting Date:</b>	September 27, 2022
<b>Approved for Consideration:</b>	County Administrator		Leonardo Brown, MBA, CPM
<b>Committee:</b>	Development & Services		
<b>Agenda Item:</b>	5a. I move to direct the County Administrator to work with the County Attorney to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation, a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance.		

**COUNCIL INQUIRY:**

Why was the distance of 50 miles chosen? Can the provision be modified to reflect the owner living within the County? Does it require those who live outside of the 50 mile radius to find/hire someone to register on their behalf?

What is the logic associated with the recommendation?

Would it be considered an undue burden to require the designation of an authorized agent?

*Reply:*

The distance of 50 miles was chosen as some federal agencies use this distance to distinguish between “local” and “extraterritorial” activities. There is neither an identified industry standard nor a uniform distance standard among local governments.

Yes; the distance provision can be modified to reflect the owner living within the County.

The distance provision can require an owner living outside of the distance parameters to hire someone to act as a local agent for the owner.

Absentee landlord ordinances and similar regulations have been in widespread use for at least the past 30 years, and the concept of requiring a local agent is common among many regulatory bodies. The logic associated with the recommendation is to ensure that parties and individuals who reside outside of a county, state, or country can be served summons and citations and be held accountable for their actions or inactions, associated with meeting governing standards of property upkeep and maintenance.

**COUNCIL INQUIRY:**

Is an apartment complex considered one unit or is each apartment considered a separate unit? As a tenant within the complex, is s/he absolved from the responsibilities outlined within the ordinance?

*Reply:*

An apartment complex is not one dwelling unit; it is a series of dwelling units attached to one another.

There are many categories of leases: commercial, residential, industrial, professional office, agricultural, hunting, vacant land, etc., and each will be structured according to a unique set of circumstances. As such, any property code enforcement ordinance must include the tenant, the property manager, and the property owner in the enforcement process – because, sometimes, the tenant is responsible for mowing the lawn and taking out the garbage; other times, it is the property management firm; and yet, sometimes, it is the property owner. The same applies to other potential violations. The party responsible for the violation is the party that has to be held accountable – there is no discretion in that regard.

**COUNCIL INQUIRY:**

Is there an "order of operations" for who is held responsible for an item or is each individual held responsible simultaneously? Does the person serving the citation have a great deal of the latitude to determine to who is cited based on the law in some areas and judgment in others?

*Reply:*

The code enforcement individual will most likely start with the party that appears to be responsible for the violation. For example, if the violation is a car parked on the front lawn of a detached house, they would start with the tenant or car owner. If the violation is a dead tree at an apartment complex, they would start with the property manager or property owner. If the violation was a pollution discharge at an industrial property, they would start with the business owner/operator. There is no set order of operations that applies to every instance as it depends on the situation and the violation.

**COUNCIL INQUIRY:**

What is the cost associated with the creation of the database?

*Reply:*

The database will use existing software owned by the County and will be populated by the property owners or property management firms. The only cost to the County will be the initial set-up of the database, which will be done in-house and probably involve 20-30 hours of staff time.

**COUNCIL INQUIRY:**

Are penalties both civil and/or criminal (referred to the mention of a misdemeanor)? Does the County have opportunities for redress in terms of recouping the County's costs for maintaining overgrown properties?

*Reply:*

The County does not have a civil code enforcement system, so all enforcement would be through the County's typical citation process.

The County can attempt to recuperate costs spent mitigating nuisances and violations through a lien on property, but the lien would not be collected until the property sells per state law. Municipalities in

South Carolina have the authority to have their liens satisfied the next time property taxes are assessed and collected.

As mentioned during previous committee meetings, County Administration is promoting a bill to give counties the same lien collection ability as municipalities, and it may be in the County's interest to discuss the benefits of a civil code enforcement process.

**COUNCIL INQUIRY:**

Councilmembers requested more information regarding the potential profitability of the program.

*Reply:*

As a general rule, government doesn't make a "profit" in the same sense as businesses in the private sector because government is a simply a steward of the public good. However, whenever a government agency improves its processes and accomplishes more with less resources, the community "benefits" from it. There is no intent or proposal to charge a fee to implement this program.

**COUNCIL INQUIRY:**

Does the ordinance apply only to absentee landlords or are all landlords required to obtain a business license?

*Reply:*

As drafted, the proposed ordinance provisions regarding code enforcement would apply only to situations where the property owner does not reside at the property (the definition of an "absentee landlord"). The proposed business licensing provisions (which are located in a different section of code) would apply uniformly throughout the unincorporated County to all property owners.

**COUNCIL INQUIRY:**

Why is the ordinance only for persons who own more than one unit? A landlord is a landlord and anyone who owns a unit for business purposes should have to follow the rules that everyone else does. Following that question [Councilmember Malinowski] stated that persons could use the more than one as a loophole and place individual units in other family members' names, thereby actually owning more than one unit in reality but only one on paper.

*Reply:*

The County's existing business license ordinance requires that an owner of 3 or more residential units for lease obtain a business license, which is a common practice in other jurisdictions. This standard is predicated on the argument that owning and leasing 1 or 2 properties does not rise to the level of being a commercial business, and, therefore, should not require a business license. The Council may establish any threshold it deems appropriate. The proposal at this time is to reduce the current threshold from 3 units to 2 units.

**COUNCIL INQUIRY:**

How will we educate landlords about the process?

*Reply:*

The proposed ordinance provisions are long standing practices in many jurisdictions; large property management firms and property owners with units in multiple jurisdictions may already be familiar with its provisions.

Staff recommends that any education effort should focus on small firms and individuals who only own one or two properties. The quickest and most effective way is direct notification to all landlords using the business license database. The next most effective activity is to provide education/information to the local realtor and property management member organizations for circulation through their networks. While less effective, media releases may still reach some persons who do not have business licenses or participate in a professional organization.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-22HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 16, LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS; BY THE ADDITION OF ARTICLE VII, RESIDENTIAL RENTAL PROPERTY REGISTRATION AND REGULATIONS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 16, Licenses and Miscellaneous Business Regulations; is hereby amended by the addition of Article VII, Residential Rental Property Registration and Regulations, to read as follows:

**ARTICLE VII. RESIDENTIAL RENTAL PROPERTY REGISTRATION AND REGULATIONS**

**Sec. 16-71. Purpose.**

The general purpose of this article is to safeguard all neighborhoods within the unincorporated areas of Richland County from blight and unsafe living conditions by requiring the owners, tenants, property management companies, and property managers to share equally in the burden and liability of the compliance with all county property and building related ordinances and regulations.

**Sec. 16-72. Registration; business license.**

- a) The owner of any non-owner occupied and habitable residential property or unit shall register such property or unit with the county's online database within thirty (30) days of such property or unit becoming non-owner occupied and habitable. For the purpose of this article only, habitable shall mean capable of being lived in as evidenced by a certificate of occupancy and/or a legal electric supply and running water. Registration shall include:
  1. Owner's mailing address
  2. Owner's phone number
  3. Owner's email address, if any
  4. If the owner shall not reside within fifty (50) miles of the registered address, then all of the above information is also required of an authorized agent residing within the fifty (50) mile radius.
- b) Any person or entity owning more than one (1) non-owner occupied residential property or unit within unincorporated Richland County [that is leased or available for lease](#) must obtain a business license; provided, however, that those persons or entities contracting with a properly licensed property manager or property management company for management of such properties or units shall be exempt from such requirement. If at any time such property manager or company shall fail to properly obtain or maintain a business license within Richland County, it shall be the responsibility of the owner to obtain such license on its own behalf.

**Sec. 16-73. Enforcement and penalties.**

It shall be the responsibility of the owner, property manager, property management company, and tenant, each individually and collectively, to comply with all Richland County ordinances related to property maintenance, weeds and

rank vegetation, zoning, building regulations, and building safety, and each person or entity may be cited for a violation of such county ordinance; provided, however, a tenant may only be cited for a violation of zoning or building regulations if there is affirmative evidence that the tenant actively constructed any structure or created a use in violation of such ordinances.

In addition to appropriate civil and/or equitable remedies for enforcement of this article, any person convicted of violating this section shall be guilty of a misdemeanor and shall be punished in accordance with the provisions of section 1-8 of this Code of Ordinances.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2022.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Overture Walker, Chair

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2022

\_\_\_\_\_  
Anette Kirylo  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

\_\_\_\_\_  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading: