

**RICHLAND COUNTY  
DEVELOPMENT AND SERVICES  
COMMITTEE**

**AGENDA**



**THURSDAY NOVEMBER 16, 2023**

**5:00 PM**

**COUNCIL CHAMBERS**

# Richland County Council 2023



Deirek Pugh  
District 2



Jason Branham  
District 1



Gretchen Barron  
District 7



Yvonne McBride  
District 3



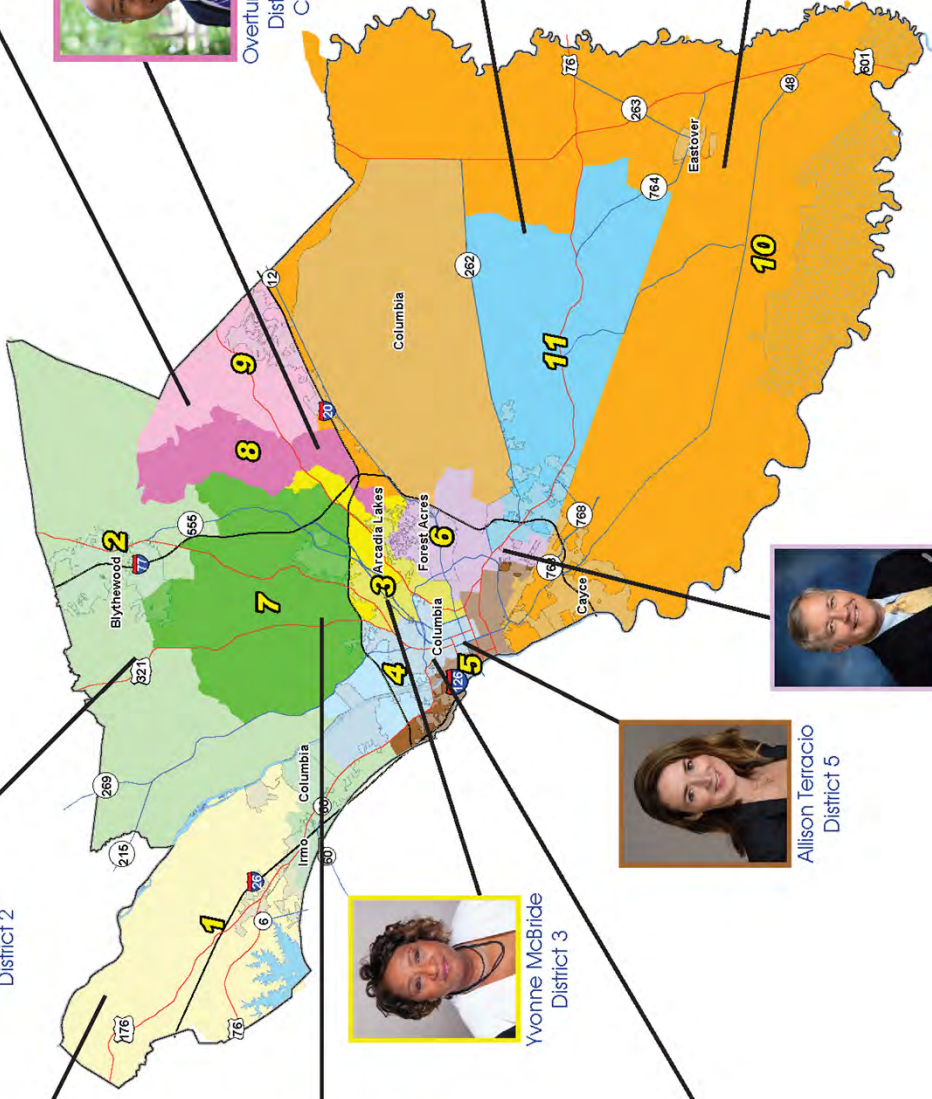
Paul Livingston  
District 4



Allison Terracio  
District 5



Don Weaver  
District 6



Overture Walker  
District 8  
Chair



Chakisse Newton  
District 11



Cheryl English  
District 10



**Richland County  
Development and Services Committee**

**AGENDA**

November 16, 2023 - 5:00 PM  
2020 Hampton Street, Columbia, SC 29204

The Honorable Derrek Pugh	The Honorable Allison Terracio	The Honorable Gretchen Barron	The Honorable Cheryl English	The Honorable Chakisse Newton, Chair
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 Chakisse Newton
  
2. **APPROVAL OF MINUTES** The Honorable Chakisse Newton
  - a. October 24, 2023 [\[PAGES 5-7\]](#)
  
3. **ADOPTION OF AGENDA** The Honorable Chakisse Newton
  
4. **ITEMS FOR ACTION** The Honorable Chakisse Newton
  - a. Department of Public Work -Engineering - Harborside  
Pointe Right-of-Way [\[PAGES 8-17\]](#)
  
5. **FOR DISCUSSION/PRELIMINARY ACTION**
  - 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] [\[PAGES 18-26\]](#)
  
6. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED** The Honorable Chakisse Newton
  - a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [Malinowski (Pugh; Newton), January 3, 2023] [\[PAGE 27\]](#)
  - b. I move to direct the Administrator to review and update the illegal dumping ordinance, including raising fines up

to \$5,000.00, jail time, and community service (picking up debris on roadways) [English, June 6, 2023]  
**[PAGES 28-40]**

**7. ADJOURNMENT**

The Honorable Chakisse Newton



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  
**MINUTES**  
October 24, 2023 – 5:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

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

OTHERS PRESENT: Jason Branham, Michelle Onley, Ashiya Myers, Angela Weathersby, Patrick Wright, Stacey Hamm, Leonardo Brown, Aric Jensen, Anette Kirylo, Lori Thomas, Dale Welch, Michael Maloney, Shirani Fuller, Ashley Fullerton, and Chelsea Bennett

1. **CALL TO ORDER** – Councilwoman Chakisse Newton called the meeting to order at approximately 5:00 PM.
2. **APPROVAL OF MINUTES**
  - a. September 26, 2023 – Ms. Barron moved to approve the minutes as distributed, seconded by Ms. English.  
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. Department of Public Works – Engineering Division – Briarsgate Circle – County Administrator, Leonardo Brown, stated the South Carolina Department of Transportation (SCDOT) is requesting 809 square feet of the southern portion of the County maintained road Briarsgate Circle at the intersection of Broad River Road to be transferred to their ownership for the re-alignment of the I-20 interchange (Carolina Cross Roads Project). The northern connection of Briarsgate Circle to Broad River Road is signalized and will be improved to accommodate traffic. The southern connection of Briarsgate Circle to Broad River Road will be closed since this is a part of the new I-20 onramp. Public Works, Community Planning & Development, Emergency Management, and the Sheriff’s Department reviewed the request and have no opposition to the request.  
  
Mr. Pugh moved to forward this item to Council with a recommendation to approve the transfer of the right-of-way on Briarsgate Circle to the South Carolina Department of Transportation (SCDOT) for the Carolina Cross Road Project, seconded by Ms. Barron.  
  
In Favor: Pugh, Terracio, Barron, English, and Newton  
  
The vote in favor was unanimous.
5. **ITEMS FOR DISCUSSION/PRELIMINARY ACTION**
  - 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] – Mr. Brown stated the updates in the agenda packet address some changes regarding the language we were using.

- The phrase “rank vegetation” is no longer common industry nomenclature. South Carolina Code and industry practitioners now use the phrase “noxious vegetation” to refer to plants that are undesirable or invasive for a given region.
- Clemson University Agricultural Extension maintains a periodically updated list of plants that are invasive and/or noxious to South Carolina. This list is not a regulatory document; Council could adopt it or create a Richland County-specific list.
- The existing ordinance makes a distinction between residential and commercial properties, and there is no stated reason or justification for the distinction. The existing ordinance excludes undeveloped residential properties from being declared a nuisance, but not undeveloped commercial properties. The proposed language is to replace these sections with language defining rural and developed properties, which is a more useful distinction, and for the committee to discuss what standards are appropriate for each.

Mr. Brown acknowledged these recommendations do not really address the unsafe issues that we were trying to get to.

Ms. Newton inquired about what staff would like to see come out of this meeting regarding this item.

Mr. Brown responded the intent was to take some definitive steps and discuss the suggested amendments. We are looking to change and update the name of our ordinance and what it is addressing. In addition, we want to talk about whether we want to adopt the list from Clemson University. Lastly, provide the ability for the existing ordinance to be changed to include undeveloped commercial properties so you give the Sheriff's Department and Code Enforcement entities the ability to address residential and commercial properties.

Ms. Barron stated she welcomes the idea of adopting the Clemson University list. However, she would like to see the document before we adopt it.

Ms. Newton indicated her original intent in making the motion did not include noxious or invasive species, so she will accept whatever the best practice is. The main objective is for the neighborhoods to look nice. She noted the proposed ordinance refers to properties that are zoned “Rural.” We know that terminology will change as a part of our Land Development Code. She wants to ensure it was updated appropriately. She requested someone on staff to speak about the distinction between commercial, residential, and vacant properties and the best practices.

Mr. Aric Jensen, Assistant County Administrator, stated as to the “Rural vs. Urban” vs. “Residential vs. Commercial” distinction, our code in the past was not clear. In speaking with the Sheriff's Department, they had some concerns and felt their hands were tied. What they have recommended is the proposed text in the agenda packet. However, it could be stricter. If it was the committee's and Council's desire to include residential structures and development, we could do that as long as we do not run afoul of the South Carolina State Code. He will rely on the County Attorney's Office to ensure that does not happen.

Ms. Newton inquired if there are any other concerns about taking the step where all properties are required not to be nuisances.

Mr. Jensen stated that it is a broad policy question. Every jurisdiction is different. When dealing with residential structures, particularly someone's home, they tend to react differently than if it is a commercially owned property.

Mr. Brown noted the County has already taken a stance on blight remediation. It has been an ongoing goal/initiative the County has discussed being a part of. As it relates to property and the upkeep of it,



as long as we are within the bounds, he does not see an issue with taking the position that the ordinance applies to properties within the bounds of Richland County.

Ms. Newton requested staff to continue working with Legal on the language of the proposed ordinance. She inquired about the County's authority regarding enforcement of a lien and payment.

Mr. Patrick Wright, County Attorney, replied the lien is on the title of the property; therefore, the property cannot be sold without satisfying the lien.

Ms. Barron inquired, if we wanted to levy fines; what would be the process?

Ms. Newton replied the State legislature would have to change the law. Currently, we are not allowed to do so.

Ms. Barron inquired if we have a lobbyist who could work on our behalf for something like this.

Mr. Brown responded in the affirmative. In addition, the South Carolina Association of Counties is also pushing to get the same authority afforded to the counties.

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

- a. Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [PUGH, BARRON, and NEWTON - January 3, 2023] – Ms. Newton stated staff has prepared an RFP to bring in a consultant to make recommendations. What we are allowed to do by State law is not as comprehensive as we might think. The RFP was geared toward getting information on what the law says, what we can do, and what other governments and municipalities are doing. She inquired if staff were optimistic we would have a vendor selected and approved by Council.

Mr. Jensen responded this is a relatively specialized field with only a few vendors, so we can likely have the vendor selected by December, but Council may not have an opportunity to approve them.

- b. I move to direct the Administrator to review and update the illegal dumping ordinance, including raising fines up to \$5,000.00, jail time, and community service (picking up debris on roadways) [English and Terracio, June 6, 2023] – Mr. Brown indicated when Special Services team goes out to a property that has been identified in violation, the property owner is noticed, and it goes through the judicial process. The property owner has the opportunity to go through the process. If they have not already attended court and their property is still in that state, the magistrate could allow them 30 days to clean up the property. The County would have to return and inspect the property after that timeframe. In some recent instances, the magistrate has allowed the County to move forward with enforcement if the property has not come into compliance. He noted citizens who are not compliant still have a process they get to go through while their neighbors are experiencing the challenges of the nuisance. Even with the actions you take, there is still going to be an opportunity and a timeframe in which they are going to be given to remediate before the County can step on this private property. This is a time-intensive process. It does not mean that County staff is not being attentive to the request, but we have to follow the instruction of the magistrates. It was noted when County staff goes to some of these properties without law enforcement, they have had their lives threatened. He mentioned that staff has remediated the blight in an area, and sometime later, that same area is faced with this nuisance again.

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 5:30 PM.

**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

<b>Prepared by:</b>	Shirani Fuller	<b>Title:</b>	County Engineer
<b>Department:</b>	Public Works	<b>Division:</b>	Engineering
<b>Date Prepared:</b>	October 24, 2023	<b>Meeting Date:</b>	November 16, 2023
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	October 25, 2023
<b>Budget Review</b>	Abhijit Deshpande via email	<b>Date:</b>	October 25, 2023
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	October 25, 2023
<b>Approved for consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCEM	
<b>Meeting/Committee</b>	Development & Services		
<b>Subject</b>	Harborside at Lake Carolina - Right-of-Way		

**RECOMMENDED/REQUESTED ACTION:**

Public Works requests that County Council approve the transfer of a portion of the right-of-way at the intersection of Long Pointe Ln and Harborside Cir to the developer, Lake Carolina Development.

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:**

There is no cost associated with this request.

**OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:**

Not applicable.

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

The County Attorney’s Office has no comments.



#### REGULATORY COMPLIANCE:

Chapter 21-14 (c) "Abandonment of public roads and rights-of-way" is being followed.

*Any person or organization wishing to acquire ownership of an unused road right-of-way in the county (including a public right-of-way that is dedicated either by deed, prescription, or recordation of a plat) may submit a petition for consideration by county council. If it is determined by the county's planning department and public works department that the right-of-way will not be utilized by the county for road purposes, county council may approve a quit-claim deed conveying the county's interest to the owners of the adjoining property. Unless the owners of the adjoining property agree to another division, each may acquire that portion of the right-of-way adjacent to his/her property on his/her side of the right-of-way's centerline. The grantee(s) of the quit-claim deed(s) shall be responsible for preparing the deed(s) prior to county council's consideration of the request. Upon approval and execution of the deed(s), the grantee(s) shall be responsible for recording the deed(s) in the office of the register of deeds and for returning a filed copy to the office of the county attorney. The county council may require the grantees) to pay up to the fair market value, as determined by the county assessor's office, in exchange for the conveyance of the right-of-way. Upon recordation of the deed, the county assessor's office shall adjust the appraisal of the adjoining parcels to reflect the value of the additional property.*

#### MOTION OF ORIGIN:

There is no associated Council motion of origin.

#### STRATEGIC & GENERATIVE DISCUSSION:

Lake Carolina Development is requesting 639.47 square feet of the County maintained road Long Pointe Ln at the intersection with Harborside Cir. This portion of right-of-way is unused. An exhibit is attached illustrating the request. Lake Carolina Development is requesting this area be combined with the undeveloped parcel R23207-02-37. This area will become part of the new Harborside Pointe at Lake Carolina development.

Per ordinance 21-14 (c), unused right-of-way may be acquired by a person or organization if determined by the County's Planning Department and Public Works Department that the right-of-way will not be utilized by the County for road purposes and approved by County Council. Council also has the discretion to determine if payment in exchange for the conveyance is required.

The Community Planning & Development Department and the Department of Public Works have reviewed the request and have no opposition.

#### ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

- Goal 4: Plan for growth through inclusive and equitable infrastructure
  - Objective 4.2: Coordinate departments to prepare for anticipated growth in areas by providing water, sewer, and roads in necessary locations
  - Objective 4.3: Create excellent facilities

**ATTACHMENTS:**

1. Quit-claim
2. Final Plat- Harborside Parcel 4 Phase 8

Prepared by and after recording return to:  
M. Kevin Garrison, Esq.  
Robinson Gray Stepp & Laffitte, LLC  
Post Office Box 11449  
Columbia, SC 29211

[DEED PREPARATION ONLY – NO TITLE EXAMINATION PERFORMED]

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STATE OF SOUTH CAROLINA	)	
	)	TITLE TO REAL ESTATE
COUNTY OF RICHLAND	)	(Quit-Claim Deed)
	)	

KNOW ALL MEN BY THESE PRESENTS, that **RICHLAND COUNTY**, a political subdivision of the State of South Carolina (“**Grantor**”), in the State aforesaid, for and in consideration of the sum of **FIVE AND NO/HUNDREDTHS (\$5.00) DOLLARS** to the Grantor paid by **LAKE CAROLINA DEVELOPMENT, INC.**, a South Carolina corporation (“**Grantee**”), the receipt and legal sufficiency of which is hereby acknowledged, has remised, released and forever quit-claimed, and by these presents does remise, release and forever quit-claim unto the said Grantee, and the Grantee’s successors and assigns, all of the Grantor’s right, title and interest, if any, in and to the following described property (collectively, the “**Premises**”):

All that certain piece, parcel, or tract of land, together with any improvements located thereon, situate, lying and being on the northeastern side Long Pointe Lane (51’ R/W), in the County of Richland, in the State of South Carolina, being shown and designated as a tract of land, containing **639.47 SF**, on a Final Plat entitled “**Harborside Parcel 4 Phase 8 at Lake Carolina**” prepared by Steadman & Associates, Inc., dated June 7, 2021, last revised July 21, 2023, and recorded October 4, 2023, in the Office of the Register of Deeds for Richland County, SC, in Record Book 2870, Page 1527; and having the boundaries and measurements as shown on said plat with reference being craved thereto as often as is necessary for a more complete and accurate legal description.

**NOTE: TO BE COMBINED WITH TMS NO. 23207-02-37**

Grantee’s Address: 1276 Assembly Street  
Columbia, SC 29201

**TO HAVE AND TO HOLD** all and singular the Premises before mentioned unto the said Grantee, and the Grantee's successors and assigns, forever, the Premises and all appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the Grantor, if any.

**[SIGNATURE PAGE TO FOLLOW]**



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF RICHLAND )

**AFFIDAVIT FOR TAXABLE OR  
EXEMPT TRANSFERS**

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1) I have read the information on this affidavit and I understand such information.

2) The property being transferred is located on the north side of Long Pointe Lane public right of way Richland County, South Carolina, bearing **Richland County Tax Map Number N/A**, was transferred by **Richland County to Lake Carolina Development, Inc.** on **October \_\_\_\_**, 2023.

3) Check one of the following: The deed is

- (a)  subject to the deed recording fee as a transfer for consideration paid or to be paid in money or money's worth.
- (b)  subject to the deed recording fee as a transfer between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, or is a transfer to a trust or as a distribution to a trust beneficiary.
- (c)  exempt from the deed recording fee because (See Information section of affidavit):  
**Exemption 12: quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed**  
(If exempt, please skip items 4-7, and go to item 8 of this affidavit).

If exempt under exemption #14 as described in the Information section of this affidavit, did the agent and principal relationship exist at the time of the original sale and was the purpose of this relationship to purchase the realty?  
Check Yes \_\_\_ or No \_\_\_.

4) Check one of the following if either item 3(a) or item 3(b) above has been checked (See Information section of this affidavit):

- (a)  The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of \$\_\_\_\_\_.
- (b)  The fee is computed on the fair market value of the realty which is \$\_\_\_\_\_.
- (c)  The fee is computed on the fair market value of the realty as established for property tax purposes which is \$\_\_\_\_\_.

5) Check Yes \_\_\_ or No \_\_\_ to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(e)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer). If "Yes," the amount of the outstanding balance of this lien or encumbrance is \$\_\_\_\_\_.

6) The deed recording fee is computed as follows:

- (a) Place the amount listed in Item 4 above here: \$ \_\_\_\_\_
- (b) Place the amount listed in Item 5 above here: \$ \_\_\_\_\_  
(If no amount is listed, place zero here).
- (c) Subtract Line 6(b) from Line 6(a) and place result here: \$ \_\_\_\_\_

7) The deed recording fee due is based on the amount listed on Line 6(c) above and the deed recording fee due is **\$0.00**.

8) As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as **Seller**.

9) I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisonment not more than one year or both.

**Responsible Person Connected with the Transaction**

**RICHLAND COUNTY,**  
a political subdivision of the State of South Carolina

By: \_\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**SWORN** to before me this \_\_\_\_\_ day of **OCTOBER, 2023**.

\_\_\_\_\_  
Notary Public for the State of South Carolina  
My Commission Expires: \_\_\_\_\_



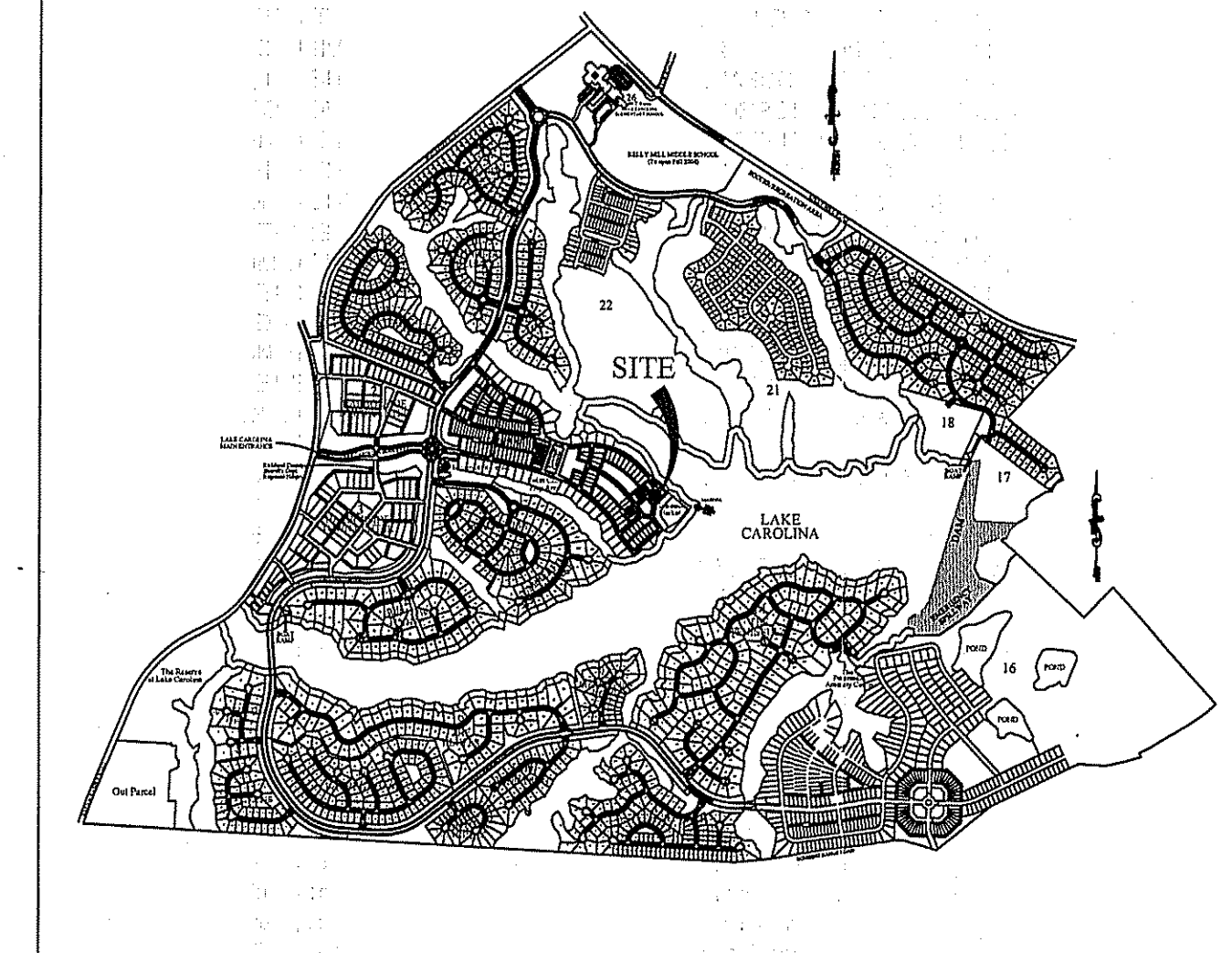
## INFORMATION

Except as provided in this paragraph, the term "value" means "the consideration paid or to be paid in money or money's worth for the realty." Consideration paid or to be paid in money's worth includes, but is not limited to, other realty, personal property, stocks, bonds, partnership interest and other intangible property, the forgiveness or cancellation of a debt, the assumption of a debt, and the surrendering of any right. The fair market value of the consideration must be used in calculating the consideration paid in money's worth. Taxpayers may elect to use the fair market value of the realty being transferred in determining fair market value of the consideration. In the case of realty transferred between a corporation, a partnership, or other entity and a stockholder, partner, or owner of the entity, and in the case of realty transferred to a trust or as a distribution to a trust beneficiary, "value" means the realty's fair market value. A deduction from value is allowed for the amount of any lien or encumbrance existing on the land, tenement, or realty before the transfer and remaining on the land, tenement, or realty after the transfer. (This includes, pursuant to Code Section 12-59-140(e)(6), any lien or encumbrance on realty in possession of a forfeited land commission which may subsequently be waived or reduced after the transfer under a signed contract or agreement between the lien holder and the buyer existing before the transfer.) Taxpayers may elect to use the fair market value for property tax purposes in determining fair market value under the provisions of the law.

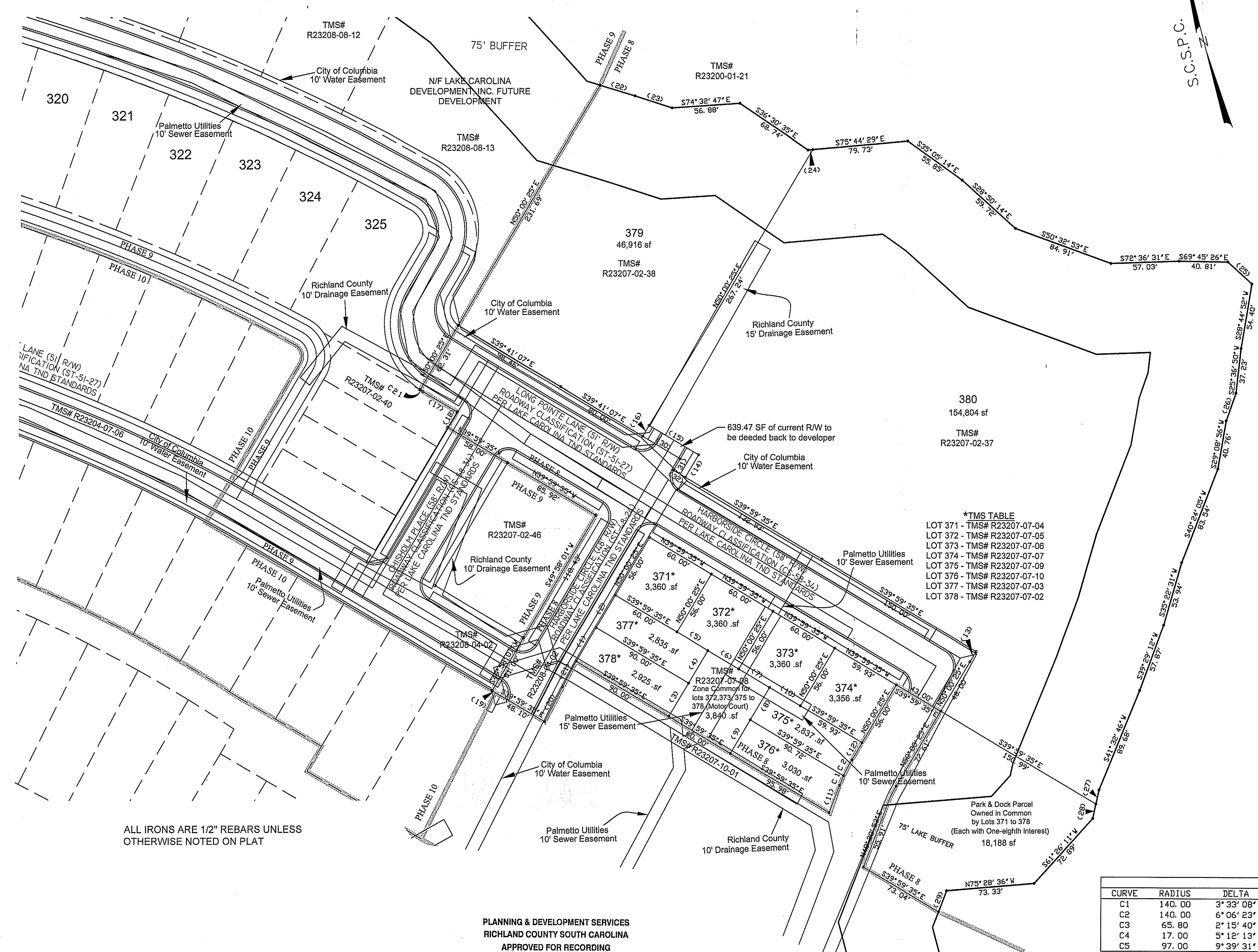
### **Exempted from the fee are deeds:**

- (1) transferring realty in which the value of the realty, as defined in Code Section 12-24-30, is equal to or less than one hundred dollars;
- (2) transferring realty to the Federal Government or to a state, its agencies and departments, and its political subdivisions, including school districts;
- (3) that are otherwise exempted under the laws and Constitution of this State or of the United States;
- (4) transferring realty in which no gain or loss is recognized by reason of Section 1041 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (5) transferring realty in order to partition realty as long as no consideration is paid for the transfer other than the interests in the realty that are being exchanged, in order to partition the realty;
- (6) transferring an individual grave space at a cemetery owned by a cemetery company licensed under Chapter 55 of Title 39;
- (7) that constitute a contract for the sale of timber to be cut;
- (8) transferring realty to a corporation, a partnership, or a trust as a stockholder, partner, or trust beneficiary of the entity or so as to become a stockholder, partner, or trust beneficiary of the entity as long as no consideration is paid for the transfer other than stock in the corporation, interest in the partnership, beneficiary interest in the trust, or the increase in value in the stock or interest held by the grantor. However, except for transfers from one family trust to another family trust without consideration or transfers from a trust established for the benefit of a religious organization to the religious organization, the transfer of realty from a corporation, a partnership, or a trust to a stockholder, partner, or trust beneficiary of the entity is subject to the fee, even if the realty is transferred from another corporation, a partnership, or trust;
- (9) transferring realty from a family partnership or from a family trust to a beneficiary, provided no consideration is paid for the transfer other than a reduction in the grantee's interest in the partnership or trust. A "family partnership" is a partnership whose partners are all members of the same family. A "family trust" is a trust, in which the beneficiaries are all members of the same family. The beneficiaries of a family trust may also include charitable entities. "Family" means the grantor and the grantor's spouse, parents, grandparents, sisters, brothers, children, stepchildren, grandchildren, and the spouses and lineal descendants of any of the above. A "charitable entity" means an entity which may receive deductible contributions under Section 170 of the Internal Revenue Code as defined in Section 12-6-40(A);
- (10) transferring realty in a statutory merger or consolidation from a constituent corporation to the continuing or new corporation;
- (11) transferring realty in a merger or consolidation from a constituent partnership to the continuing or new partnership;
- (12) that constitute a corrective deed or a quitclaim deed used to confirm title already vested in the grantee, provided that no consideration of any kind is paid or is to be paid under the corrective or quitclaim deed;
- (13) transferring realty subject to a mortgage to the mortgagee whether by a deed in lieu of foreclosure executed by the mortgagor or deed pursuant to foreclosure proceedings;
- (14) transferring realty from an agent to the agent's principal in which the realty was purchased with funds of the principal, provided that a notarized document is also filed with the deed that establishes the fact that the agent and principal relationship existed at the time of the original purchase as well as for the purpose of purchasing the realty;
- (15) transferring title to facilities for transmitting electricity that is transferred, sold, or exchanged by electrical utilities, municipalities, electric cooperatives, or political subdivisions to a limited liability company which is subject to regulation under the Federal Power Act (16 U.S.C. Section 179 (a)) and which is formed to operate or to take functional control of electric transmission assets as defined in the Federal Power Act;
- (16) assigning, transferring, or releasing real property to the distributee of an estate, whether by instrument or deed of distribution, pursuant to Section 62-3-907 as evidence of the distributee's title;
- (17) transferring, real property from a trust to a trust distributee upon the trust settlor's death, pursuant to the trust terms, if a deed of distribution would be the appropriate instrument to transfer the subject property if the property were part of the decedent's probate estate.





LOCATION MAP 1" = 1000'



TANGENT TABLE

LINE	BEARING	LENGTH
(1)	N 50° 00' 25" E	32.50
(2)	N 50° 00' 25" E	31.50
(3)	N 50° 00' 25" E	32.50
(4)	N 50° 00' 25" E	31.50
(5)	S 39° 59' 35" E	30.00
(6)	S 39° 59' 35" E	30.00
(7)	S 39° 59' 35" E	30.00
(8)	N 50° 00' 25" E	31.50
(9)	N 50° 00' 25" E	32.50
(10)	S 39° 59' 35" E	30.00
(11)	N 40° 20' 53" E	24.25
(12)	N 50° 00' 25" E	16.61
(13)	N 50° 00' 25" E	10.00
(14)	N 50° 00' 25" E	21.94
(15)	N 40° 18' 19" E	48.00
(16)	N 50° 00' 25" E	10.52
(17)	S 39° 59' 35" E	33.49
(18)	N 50° 00' 25" E	15.19
(19)	S 39° 59' 35" E	3.05
(20)	S 46° 20' 37" E	32.84
(21)	S 47° 13' 20" W	24.03
(22)	S 53° 50' 02" E	30.46
(23)	S 52° 58' 21" E	32.56
(24)	S 75° 44' 29" E	3.99
(25)	S 80° 28' 58" E	27.04
(26)	S 38° 37' 09" W	24.66
(27)	S 31° 42' 23" W	11.90
(28)	S 31° 42' 23" W	12.16
(29)	S 40° 20' 53" W	18.71
(30)	S 40° 18' 19" E	36.50
(31)	S 50° 00' 25" W	11.16
(32)	S 39° 59' 35" E	11.50

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	TANGENT	CHORD	BEARING
C1	140.00	3° 33' 08"	8.68	4.34	8.68	S 42° 07' 28" W
C2	140.00	6° 06' 23"	14.92	7.47	14.91	S 46° 57' 13" W
C3	65.80	2° 15' 40"	2.60	1.30	2.60	S 38° 51' 46" E
C4	17.00	5° 12' 13"	1.54	0.77	1.54	S 36° 31' 50" E
C5	97.00	9° 39' 31"	16.35	8.20	16.33	S 45° 10' 39" W

\*TMS TABLE

LOT 371 - TMS# R23207-07-04
LOT 372 - TMS# R23207-07-05
LOT 373 - TMS# R23207-07-06
LOT 374 - TMS# R23207-07-07
LOT 375 - TMS# R23207-07-09
LOT 376 - TMS# R23207-07-10
LOT 377 - TMS# R23207-07-03
LOT 378 - TMS# R23207-07-02

- NOTES:
- PROPERTY IS ZONED PLANNED UNIT DEVELOPMENT TRADITIONAL NEIGHBORHOOD DISTRICT (PUD-2-TND) PURSUANT TO THE AMENDMENT TO THE LAKE CAROLINA PUD DATED MAY 15, 2001 (ORDINANCE NO. 036-01HR).
  - ALL STREETS SHOWN ARE CLASSIFIED AS INDICATED ON THIS DRAWING.
  - ALL STREET RIGHTS-OF-WAYS TO BE DEDICATED TO RICHLAND COUNTY FOR PUBLIC USE.
  - RICHLAND COUNTY TAX MAP NUMBER 23200-01-20(PORION)
  - WATER LINES - CITY OF COLUMBIA 7.5' EASEMENT EACH SIDE OF WATER LINE UNLESS NOTED OTHERWISE.
  - SANITARY SEWER - PALMETTO UTILITIES 7.5' EASEMENT EACH SIDE OF SEWER LINE UNLESS NOTED OTHERWISE.
  - STORM DRAINAGE - RICHLAND COUNTY 7.5' EASEMENT EACH SIDE OF DRAINAGE LINE UNLESS NOTED OTHERWISE, TO BE DEDICATED TO RICHLAND COUNTY.
  - IN ADDITION TO ANY OTHER EASEMENTS INDICATED ON THIS PLAT, A NON-EXCLUSIVE EASEMENT TO CENTENNIAL RESIDENTIAL ASSOCIATION #1, INC., ITS SUCCESSORS AND ASSIGNS (THE "ASSOCIATION") IS RESERVED IN THE FOLLOWING LOCATIONS FOR SIMILAR PURPOSES TO THOSE SET FORTH IN SECTION 4.3 OF THE DECLARATION OF THE ASSOCIATION: (1) FROM THE SIDE LOT LINE TO ONE (1) FOOT FROM ANY ADJACENT RESIDENTIAL STRUCTURE IN THE LOT (EXCLUDING ABOVE GRADE PROJECTIONS SUCH AS ROOF OVERHANGS) BUT NOT TO EXCEED A MAXIMUM OF FIVE (5) FEET ON EACH SIDE OF THE SIDE LOT LINE; AND (2) WITHIN EACH LOT, FOR A DISTANCE OF FIVE (5) FEET FROM THE FRONT LOT LINE AND A DISTANCE OF FIVE (5) FEET FROM THE REAR LOT LINE.
  - COMMON AREAS AND AREAS OF COMMON RESPONSIBILITY, INCLUDING ANY IMPROVEMENTS THERETO, SHALL BE MAINTAINED BY THE CENTENNIAL RESIDENTIAL ASSOCIATION #1, INC., OR THE LAKE CAROLINA MASTER ASSOCIATION, INC. AS NOTED.
  - ALL PROPERTY CORNERS ARE NEW IRON PINS UNLESS SHOWN OTHERWISE. (TYPICALLY 1/2" X 24" REBAR)
  - LOT AREAS ARE SHOWN IN SQUARE FEET (SF).
  - THERE IS A 10' EXCLUSIVE CITY OF COLUMBIA WATER EASEMENT ON ALL WATER SERVICE LINES FROM THE MAIN LINE TO THE METER BOX.
  - SIDEWALKS TO BE BUILT BY INDIVIDUAL HOMEBUILDERS
  - ALLEYS ARE PRIVATELY MAINTAINED BY HARBORSIDE RESIDENTIAL ASSOCIATION, INC. PER TND STANDARDS.

Property shown on the plat as lying within the platted right of way of Lake Carolina Boulevard or Lake Carolina Drive is an Area of Common Responsibility of Lake Carolina Master Association, Inc., to the extent of any graded or landscaped areas, landscaped islands, irrigation lines and walls within the right of way. The Area of Common Responsibility for the Lake Carolina Master Association, Inc. excludes paved road surfaces, curbing, road drainage facilities, utility lines or other infrastructure within such rights of way.

Property shown on the plat as lying within the platted right of way of roads other than Lake Carolina Boulevard or Lake Carolina Drive is an Area of Common Responsibility of the applicable subdivision owners association, to the extent of any graded or landscaped areas, landscaped islands, irrigation lines and walls within the right of way. Unless otherwise expressly stated on the plat, or stated below, or stated in the applicable recorded covenants of the subdivision, however, the Area of Common Responsibility for the subdivision owners association excludes paved road surfaces, curbing, road drainage facilities, utility lines or other infrastructure within such rights of way.

The notes, descriptions of Common Areas and Areas of Common Responsibility, and acreages shown on the plat shall be further corrected to read as set forth Final Plat of on the property subsequently to be recorded in the Register of Deeds for Richland County.

I HEREBY CERTIFY THAT THE PLAN SHOWN AND DESCRIBED HEREIN IS A TRUE AND CORRECT SURVEY TO THE ACCURACY REQUIRED BY RICHLAND COUNTY SUBDIVISION REGULATIONS AND THE MONUMENTS SHOWN HAVE BEEN PLACED TO THE SPECIFICATIONS SET FORTH IN THOSE REGULATIONS.

C. LA VERNE STEADMAN  
SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR NO. 7883

Book 2870-1527  
202303148 10/04/2023 10:56:48:293  
File: 225.00 County Tax: \$0.00 State Tax: \$0.00  
202303148 John H. Hopkins II Richland County R.O.D.  
CITY FILE # 241-06MM

HARBORSIDE PARCEL 4 PHASE 8  
AT LAKE CAROLINA  
FINAL PLAT  
RICHLAND COUNTY, NEAR BLYTHEWOOD, SC  
SHEET 1 OF 1  
Drawing No. B-1440,FP

No.	REVISION	DATE	BY	APP.
1	ADDED BUILDING SETBACKS	7.16.21	CTC	CLS
2	ADDED TMS NUMBERS FOR LOTS	8.5.21	CTC	CLS
3	REVISED ROW AT LOTS 379/380, TO BE DEEDED TO DEVELOPER	7.21.23	CTC	CLS

I hereby state that to the best of my knowledge, information, and belief the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class A survey as specified therein. Also there are no visible encroachments of projections other than shown and according to National Flood Insurance Program (Flood Insurance Rate Map for Richland County - Panel No 45079C0142L (dated December 21, 2017), this property appears to be partially located within a currently designated Flood Hazard Zone.

Steadman Associates, Inc.  
SURVEYING PLANNING DESIGN  
301 CARLSLE STREET - SUITE 103 COLUMBIA, SC. 29205  
TEL. (803) 799-4300 E-MAIL: LAVERNESTEADMAN@SCRR.COM

SOUTH CAROLINA PROFESSIONAL SURVEYOR  
C. LA VERNE STEADMAN  
7883

DATE: JUNE 7, 2021  
SCALE: 1" = 50'  
DRAWN: CTC  
N.E. No.: 124  
CHECKED: CLS  
JOB NO.: 21-022  
FILE NO.: 21022

OWNER:  
LAKE CAROLINA DEVELOPMENT, INC.  
1276 ASSEMBLY STREET  
COLUMBIA, SOUTH CAROLINA 29201  
(803) 865-5460

SEWER PROVIDER  
PALMETTO UTILITIES, INC.  
1710 WOODCREEK FARMS ROAD  
ELGIN, SC 29045  
803-699-2409  
ATT: MR. STAN JONES

WATER PROVIDER  
CITY OF COLUMBIA  
POST OFFICE BOX 147  
COLUMBIA, SC 29217  
803-545-3400

PLANNING & DEVELOPMENT SERVICES  
RICHLAND COUNTY SOUTH CAROLINA  
APPROVED FOR RECORDING  
Date: 3 Oct 2023  
RCF #: SD 19-048  
Signature: [Signature]

ALL IRONS ARE 1/2" REBARS UNLESS OTHERWISE NOTED ON PLAT

SETBACK REQUIREMENTS:  
ALL DEVELOPMENT AND CONSTRUCTION, INCLUDING MINIMUM SETBACK REQUIREMENTS SHALL BE IN ACCORDANCE WITH THE LAKE CAROLINA AMENDED PUD-2 TRADITIONAL NEIGHBORHOOD DISTRICT DESIGN CRITERIA-(ORDINANCE NO. 036-01HR) PURSUANT OF THE FOLLOWING DESIGNATION- NEIGHBORHOOD GENERAL - LOTS 371-380

HARBORSIDE PARCEL 4 PHASE 8 DEVELOPMENT DATA  
PHASE 8 ACREAGE 6.71 ACRES  
ZONE COMMON AREA (LOTS 371 TO 378) 0.51 ACRES  
SMALLEST LOT 2835 SF  
TOTAL NUMBER OF LOTS 10 LOTS  
LENGTH OF ROADWAY/ALLEYWAY 0.15 MILES  
CURRENT ZONING PUD-2-TND





**Item Pending Analysis**

<b>Prepared by:</b>	Aric Jensen, AICP	<b>Title:</b>	Assistant County Administrator
<b>Department:</b>	Administration	<b>Division:</b>	
<b>Contributor:</b>	Christopher Ziegler	<b>Title:</b>	Deputy County Attorney
<b>Date Prepared:</b>	October 3, 2023	<b>Meeting Date:</b>	October 24, 2023
<b>Approved for Consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM	
<b>Committee:</b>	Development & Services		
<b>Agenda Item/Council Motion:</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 – 30 August 2022]		

**EXECUTIVE SUMMARY (NARRATIVE STATUS):**

At the request of Council, Richland County Administration organized a review of existing County ordinance Sec. 18-4 Weeds and Rank Vegetation. At this time, County staff has prepared an initial draft ordinance and is meeting with the departments that will be involved with its enforcement. It is anticipated that the draft ordinance will be presented to the committee at its October meeting.

Below is a summary of the research and the recommended amendments to date.

1. The phrase "rank vegetation" is no longer common industry nomenclature. South Carolina Code and industry practitioners now use the phrase "noxious vegetation" to refer to plants that are undesirable or invasive for a given region. The proposal is to revise the Sec. 18-4 title to "Unsafe and Noxious Vegetation."
2. There exist both Federal and State noxious weed acts (7 U.S.C. Ch. 61 § 2801 et seq "Federal Noxious Weed Act of 1974"; South Carolina Code Sec. 46-23-10 "South Carolina Noxious Weed Act"). Both acts are referenced in the recommended revisions.
3. Clemson University Agricultural Extension maintains a periodically updated list of plants that are invasive and/or noxious to South Carolina. This list is not a regulatory document; Council would have to adopt it or create a Richland County specific list.
4. The existing ordinance makes a distinction between residential and commercial properties; however, the regulatory standards are not differentiated, and there is no stated reason or justification for the distinction. Furthermore, the existing ordinance excludes undeveloped residential properties from being declared a nuisance, but not undeveloped commercial properties. The proposal is to replace these sections with language defining rural and developed properties, which is a more useful distinction, and for the committee to discuss what standards are appropriate for each.

5. The standards for determining what is "unsafe vegetation" are expanded and more explicit.
6. The language for notices of violation, fines, and related actions are updated to current practices.

**KEY ACCOMPLISHMENTS/MILESTONES:**

- Completed first draft

**PENDING ACTIONS/DELIVERABLES AND ANTICIPATED COMPLETION DATES:**

- Staff requests review of the first draft by the Committee and direction for additional edits/revisions to the ordinance

**ATTACHMENTS:**

1. Draft ordinance
2. Clemson Noxious Weeds List
3. South Carolina Noxious Seed List

*Proposed Richland County Ordinance Amendment*  
*Draft Date ~~20807~~Sep2023*

Sec. 18-4. Unsafe and Noxious Vegetation

(a) Definitions. For purpose of this section:

(1) “Unsafe and noxious vegetation” is defined as trees, vines, grasses, shrubs, aquatic plants, and any other flora that poses a hazard or nuisance in accordance with the standards of this chapter.

(2) “Rural area” is defined as any property with a rural zoning designation whose primary use is residential or agricultural. Any property with a rural zoning designation whose primary use is non-residential or non-agricultural is not considered a rural area.

(3) “Developed” is defined as having any physical structure, public utility connection, or other public improvement.

(b) Standards. (1) Vegetation is deemed unsafe and noxious if it exceeds any of the following standards:

(A) Grass or weeds in excess of twelve (12) inches in height or trailing vines exceeding ten (10) feet in length;

(B) Dead or desiccated growth that poses a fire or other safety hazard and is located within ten (10) feet of a property line;

(C) Dead or desiccated growth that harbors infestations of insects, vermin, or rodents;

(D) Voluntary or involuntary cultivation of plants deemed by Richland County, the State of South Carolina, or the United States to be noxious for Richland County.

(2) The Sheriff may also declare a nuisance if there is demonstrated immediate or imminent physical risk.

(c) Declaration of nuisance. Unsafe and noxious vegetation on any lot or parcel of land in a developed area within the county may be deemed and declared a nuisance in the judgment of the sheriff in accordance with the provisions of this section.

(d) Duty of responsible party to maintain. It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed area within the county to maintain or remove all unsafe and noxious vegetation, as described in this section, as often as may be necessary to prevent the growth of such unsafe and noxious vegetation. However, lots of one acre or more are not required to be cut back more than fifty (50) feet from a property line adjacent to a public right-of-way, and ten (10) feet from all other property lines.

(e) Notice to responsible party to maintain. Whenever the sheriff finds that unsafe or noxious vegetation exists upon any lot or parcel of land in a developed area within the county in such a manner as to constitute a nuisance, He may serve written notice upon the owner, the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the responsible party in person, by certified US mail, return receipt requested, or posted upon the property in a conspicuous location.

(f) Failure to comply with notice.

(1) If a person or entity fails to perform within ~~fourteen~~<sup>thirty</sup> (14~~30~~) days after being duly noticed of a violation in accordance with this section, such person or entity shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days. Each subsequent day of nonperformance after the fourteen (14) day period constitutes a separate violation.

(2) If a person or entity may be cited by the sheriff without providing a fourteen (14) day correction period for an infraction occurring within a three month period following the resolution of an initial failure to perform.

(g) Removal by county. In the event any property is determined to be a nuisance and the responsible party has not adequately performed within thirty days of the provision of notice, then the department of public works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by cutting and removing such unsafe or noxious vegetation, and the cost of doing so may become a lien upon the property affected, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction, or by any other means provided by law.

## South Carolina Exotic Pest Plant Council Terrestrial Exotic Invasive Species List 2014

(list by Growth Form and by Severity of Threat) / Range based on SC Plant Atlas/EDDMapS Database

Form	Threat Category	Common Name	Scientific Name	Range
Tree	Severe Threat	Tree of heaven <sup>+</sup>	<i>Ailanthus altissima</i> <sup>+</sup>	ALL
Tree	Severe Threat	Chinaberry	<i>Melia azedarach</i>	ALL
Tree	Severe Threat	Princess Tree/Royal Paulownia <sup>+</sup>	<i>Paulownia tomentosa</i> <sup>+</sup>	ALL
Tree	Severe Threat	Chinese Tallow Tree <sup>+</sup>	<i>Triadica sebifera</i> <sup>+</sup>	PCP
Tree	Significant Threat	Mimosa, Silktree	<i>Albizia julibrissin</i>	ALL
Tree	Significant Threat	Paper Mulberry	<i>Broussonetia papyrifera</i>	ALL
Tree	Significant Threat	Chinese Parasol Tree	<i>Firmiana simplex</i>	ALL
Tree	Significant Threat	White Mulberry	<i>Morus alba</i>	ALL
Tree	Significant Threat	White Poplar <sup>+</sup>	<i>Populus alba</i> <sup>+</sup>	ALL
Tree	Significant Threat	Callery Pear (Bradford Pear)	<i>Pyrus calleryana</i>	ALL
Tree	Emerging Threat	Camphortree	<i>Cinnamomum camphora</i>	CP
Tree	Alert	Russian-olive <sup>+</sup>	<i>Elaeagnus angustifolia</i> <sup>+</sup>	MP
Tree	Alert	Sawtooth Oak	<i>Quercus acutissima</i>	ALL
Tree	Alert	Chinese Elm	<i>Ulmus parvifolia</i>	ALL
Shrub	Severe Threat	Scotch Broom, English Broom <sup>+</sup>	<i>Cytisus scoparius</i> <sup>+</sup>	ALL
Shrub	Severe Threat	Thorny-olive	<i>Elaeagnus pungens</i>	ALL
Shrub	Severe Threat	Autumn-olive <sup>+</sup>	<i>Elaeagnus umbellata</i> <sup>+</sup>	ALL
Shrub	Severe Threat	Two Color Bush Clover, Shrub Lespedeza	<i>Lespedeza bicolor</i>	ALL
Shrub	Severe Threat	Chinese Privet	<i>Ligustrum sinense</i>	ALL
Shrub	Severe Threat	Japanese Knotweed <sup>+</sup> , Fleeceflower, Mexican Bamboo	<i>Polygonum cuspidatum</i> <sup>+</sup> (= <i>Fallopia japonicum</i> )	ALL
Shrub	Severe Threat	Trifoliolate Orange, Hardy Orange	<i>Poncirus trifoliata</i>	ALL
Shrub	Significant Threat	Japanese Privet, Waxy-leaf Privet	<i>Ligustrum japonicum</i>	ALL
Shrub	Significant Threat	Nandina, Sacred Bamboo	<i>Nandina domestica</i>	ALL
Shrub	Significant Threat	Multiflora Rose <sup>+</sup>	<i>Rosa multiflora</i> <sup>+</sup>	ALL
Shrub	Emerging Threat	Glossy, Tall Glossy Privet	<i>Ligustrum lucidum</i>	CP
Shrub	Emerging Threat	European Privet <sup>+</sup>	<i>Ligustrum vulgare</i> <sup>+</sup>	ALL
Shrub	Emerging Threat	Jasmine	<i>Lonicera fragrantissima</i>	ALL
Shrub	Emerging Threat	Macartney Rose	<i>Rosa bracteata</i>	ALL
Shrub	Emerging Threat	Jerusalem Cherry	<i>Solanum pseudocapsicum</i>	PCP
Shrub	Emerging Threat	Meadowsweet	<i>Spiraea japonica</i>	MP
Shrub	Emerging Threat	Saltcedar <sup>+</sup> , Tamarisk <sup>+</sup> , French Tamarisk	<i>Tamarix ramosissima</i> <sup>+</sup> , <i>T.</i> <i>parviflora</i> <sup>+</sup> , <i>T. gallica</i> , <i>T. africana</i>	CP
Shrub	Emerging Threat	Roundleaf Chastetree	<i>Vitex rotundifolia</i>	CP
Shrub	Alert	Japanese Barberry <sup>+</sup>	<i>Berberis thunbergii</i> <sup>+</sup>	MP
Shrub	Alert	Winged Euonymus, (Winged) Burning Bush <sup>+</sup>	<i>Euonymus alata</i> <sup>+</sup>	MP
Shrub	Alert	Amur Privet	<i>Ligustrum amurense</i>	MP
Shrub	Alert	Amur Honeysuckle <sup>+</sup>	<i>Lonicera maackii</i> <sup>+</sup>	MP
Shrub	Alert	Leatherleaf Mahonia <sup>+</sup>	<i>Mahonia bealei</i> <sup>+</sup>	MP
Shrub	Alert	Wineberry, Wine Raspberry <sup>+</sup>	<i>Rubus phoenicolasius</i> <sup>+</sup>	MP
Vines	Severe Threat	English Ivy <sup>+</sup>	<i>Hedera helix</i> <sup>+</sup>	ALL
Vines	Severe Threat	Japanese Climbing Fern <sup>+</sup>	<i>Lygodium japonicum</i> <sup>+</sup>	ALL
Vines	Severe Threat	Japanese Honeysuckle <sup>+</sup>	<i>Lonicera japonica</i> <sup>+</sup>	ALL
Vines	Severe Threat	Kudzu <sup>+</sup>	<i>Pueraria montana</i> <sup>+</sup>	ALL



## South Carolina Exotic Pest Plant Council Terrestrial Exotic Invasive Species List 2014

(list by Growth Form and by Severity of Threat) / Range based on SC Plant Atlas/EDDMapS Database

Form	Threat Category	Common Name	Scientific Name	Range
Vines	Severe Threat	Cherokee Rose	<i>Rosa laevigata</i>	PCP
Vines	Severe Threat	Chinese Wisteria	<i>Wisteria sinensis</i>	ALL
Vines	Severe Threat	Bigleaf Periwinkle	<i>Vinca major</i>	ALL
Vines	Significant Threat	Common Periwinkle	<i>Vinca minor</i>	ALL
Vines	Significant Threat	Chinese yam	<i>Dioscorea polystachya</i> (= <i>D. oppositifolia</i> )	ALL
Vines	Significant Threat	Asian/Oriental Bittersweet <sup>+</sup>	<i>Celastrus orbiculatus</i> <sup>+</sup>	ALL
Vines	Significant Threat	Sweet Autumn Virgin's Bower,	<i>Clematis terniflora</i>	ALL
Vines	Emerging Threat	Purple Crownvetch	<i>Securigera varia</i> (= <i>Coronilla varia</i> )	ALL
Vines	Emerging Threat	Asian/Japanese Wisteria	<i>Wisteria floribunda</i>	ALL
Vines	Alert	Fiveleaf akebia, Chocolate Vine	<i>Akebia quinata</i>	MP
Vines	Alert	Porcelain berry <sup>+</sup>	<i>Ampelopsis brevipedunculata</i> <sup>+</sup>	ALL
Vines	Alert	Bushkiller	<i>Cayratia japonica</i>	U
Vines	Alert	Japanese Dodder <sup>*^+</sup>	<i>Cuscuta japonica</i> <sup>*^+</sup>	M (E)
Vines	Alert	Climbing Euonymus, Winter	<i>Euonymus fortunei</i>	U
Vines	Alert	Japanese Hop <sup>+</sup>	<i>Humulus japonicus</i> <sup>+</sup>	MP
Vines	Alert	Old World Climbing Fern	<i>Lygodium microphyllum</i>	U
Grasses, sedges	Severe Threat	Cogongrass <sup>*^</sup>	<i>Imperata cylindrica</i> <sup>*^</sup>	ALL
Grasses, sedges	Severe Threat	Nepalese Browntop, Japanese Stilt Grass <sup>+</sup>	<i>Microstegium vimineum</i> <sup>+</sup>	ALL
Grasses, sedges	Severe Threat	Chinese Silvergrass <sup>+</sup>	<i>Miscanthus sinensis</i> <sup>+</sup>	ALL
Grasses, sedges	Severe Threat	Common Reed, Phragmites <sup>^+</sup>	<i>Phragmites australis</i> ssp. <i>australis</i> <sup>^+</sup>	CP
Grasses, sedges	Severe Threat	Itchgrass <sup>*^+</sup>	<i>Rottboellia cochinchinensis</i> <sup>*^+</sup>	CP
Grasses, sedges	Severe Threat	Johnson Grass <sup>+</sup>	<i>Sorghum halepense</i> <sup>+</sup>	ALL
Grasses, sedges	Significant Threat	Weeping Love Grass	<i>Eragrostis curvula</i>	PCP
Grasses, sedges	Significant Threat	Tall Fescue	<i>Festuca arundinacea</i>	ALL
Grasses, sedges	Significant Threat	Dallis Grass, Dallas grass	<i>Paspalum dilatatum</i>	ALL
Grasses, sedges	Significant Threat	Bahia Grass	<i>Paspalum notatum</i>	ALL
Grasses, sedges	Significant Threat	Vasey's Grass, Vaseygrass	<i>Paspalum urvillei</i>	PCP
Grasses, sedges	Significant Threat	Torpedo Grass <sup>+</sup> , Creeping Panic, Couch panicum	<i>Panicum repens</i> <sup>+</sup>	CP
Grasses, sedges	Significant Threat	Golden Bamboo, Fishpole Bamboo	<i>Phyllostachys aurea</i>	ALL
Grasses, sedges	Significant Threat	Giant Reed <sup>+</sup>	<i>Arundo donax</i> <sup>+</sup>	ALL

## South Carolina Exotic Pest Plant Council Terrestrial Exotic Invasive Species List 2014

(list by Growth Form and by Severity of Threat) / Range based on SC Plant Atlas/EDDMapS Database

Form	Threat Category	Common Name	Scientific Name	Range
Grasses, sedges	Alert	Pampas Grass, Silver Pampas Grass	<i>Cortaderia selloana</i>	CP
Grasses, sedges	Alert	Deep-rooted sedge, Woodrush flatsedge	<i>Cyperus entrerianus</i>	U
Herbs	Severe Threat	Sericea, Chinese Bush Clover <sup>+</sup>	<i>Lespedeza cuneata</i> <sup>+</sup>	ALL
Herbs	Severe Threat	Wart Removing Herb <sup>+</sup> , Marsh Dewflower, Aneilema, Asian Spiderwort	<i>Murdannia keisak</i> <sup>+</sup>	ALL
Herbs	Severe Threat	Tropical Soda Apple <sup>*^+</sup>	<i>Solanum viarum</i> <sup>*^+</sup>	ALL
Herbs	Significant Threat	Nodding Thistle, Nodding Plumeless Thistle, Musk Thistle <sup>+</sup>	<i>Carduus nutans</i> <sup>+</sup>	PCP
Herbs	Significant Threat	Bull Thistle <sup>+</sup>	<i>Cirsium vulgare</i> <sup>+</sup>	ALL
Herbs	Significant Threat	Showy Rattlebox <sup>+</sup>	<i>Crotalaria spectabilis</i> <sup>+</sup>	ALL
Herbs	Significant Threat	Queen Anne's Lace/Wild Carrot <sup>+</sup>	<i>Daucus carota</i> <sup>+</sup>	ALL
Herbs	Significant Threat	Rattlebox, Scarlet Wisteria Tree, Spanish Gold, Purple or Red	<i>Sesbania punicea</i> <sup>+</sup>	PCP
Herbs	Emerging Threat	Fig Buttercup, Lesser Celandine <sup>+</sup>	<i>Ficaria verna</i> <sup>+</sup>	MP
Herbs	Alert	Garlic Mustard <sup>+</sup>	<i>Alliaria petiolata</i> <sup>+</sup>	U
Herbs	Alert	Spotted Knapweed <sup>+</sup>	<i>micranthos</i> <sup>+</sup> (=Centaurea	P
Herbs	Alert	Field Thistle	<i>Cirsium arvense</i> <sup>+</sup>	U
Herbs	Alert	Coco Yam, Taro	<i>Colocasia esculenta</i>	CP
Herbs	Alert	Dayflower <sup>*^+</sup>	<i>Commelina benghalensis</i> <sup>*^+</sup>	CP
Herbs	Alert	Liriope, Monkey Grass, Big Blue	<i>Liriope muscari</i>	PCP
Herbs	Alert	Purple Loosestrife <sup>^+</sup> , Rainbow weed, Spiked Loosestrife	<i>Lythrum salicaria</i> <sup>^+</sup>	U
Herbs	Alert	Witchweed <sup>*^+</sup>	<i>Striga asiatica</i> <sup>*^+</sup>	CP
Ferns	Alert	Swordfern/ Mariana Maiden Fern/Torres's Fern <sup>+</sup>	<i>Macrothelypteris torresiana</i> <sup>+</sup>	ALL
Aquatic	Significant Threat	Crested Floating Heart	<i>Nymphoides cristata</i>	CP

\* = species is on the Federal Noxious Weed List

^ = species is on the South Carolina Noxious Weed List

+ = species is on other State Noxious Weed List

Range: M=Mountains, P=Piedmont, CP=Coastal Plain, ALL=all 3 regions, U=Unknown, E=Eradicated

List does not include problematic Illegal Aquatic Nuisance Species (see this link): <http://www.dnr.sc.gov/invasiveweeds/illegal1.htm>

Highlighted (yellow and gray) species on Early Detection and Rapid Response List (EDRR) →

report to EDDMapS and USC herbarium

### Threat Category Criteria Summary/Definitions (see List Criteria/Diagram tab or SC-EPPC website for details)

**Severe threat:** Invasive exotic plant species which are known to pose a severe threat to the composition, structure, or function of natural areas in the state of South Carolina.

**Significant threat:** Invasive exotic plant species which are established in natural areas, spreading independently, and causing significant damage to natural communities; but may not be as widespread or difficult to manage as "Severe Threat" species.

**Emerging threat:** Invasive Exotic plant species found in South Carolina or in adjacent states, in limited infestations with substantial management difficulties; or widespread with minor management difficulties.

**Alert:** Exotic plant species known to pose a severe threat to natural areas in adjacent states or in the southeast with a limited distribution in South Carolina or not currently recorded here. More distribution information is needed for most of these species.



Science and  
Technology  
Program

Seed Regulatory  
and Testing

# State Noxious-Weed Seed Requirements Recognized in the Administration of the Federal Seed Act

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**Note:** These lists show the common names appearing in State seed laws. In labeling interstate shipments, seed dealers are cautioned to use the common name(s) appearing on the list for the State into which the seed is being shipped.

Revised February 2022

## SOUTH CAROLINA

<b><u>Prohibited</u></b>	
<u>Common name</u>	<u>Scientific name</u>
Balloonvine	<i>Cardiospermum halicacabum</i>
Bindweed, field	<i>Convolvulus arvensis</i>
Bindweed, hedge	<i>Convolvulus sepium</i>
Foxtail, giant	<i>Setaria faberi</i>
Itchgrass	<i>Rottboellia exaltata</i>
Nutgrass	<i>Cyperus rotundus</i>
Tropical soda apple	<i>Solanum viarum</i>
Tussock, serrated	<i>Nassella trichotoma</i>
Witchweed	<i>Striga asiatica</i>

<b><u>Restricted</u></b>		
<u>Common name</u>	<u>Scientific name</u>	<u>Limitations</u>
Bermudagrass	<i>Cynodon dactylon</i>	200 per pound
Blueweed	<i>Helianthus ciliaris</i>	200 per pound
Cheat or Chess	<i>Bromus secalinus</i> or <i>Bromus commutatus</i>	200 per pound
Cocklebur	<i>Xanthium</i> spp.	1 per pound
Corncockle	<i>Agrostemma githago</i>	200 per pound
Darnel	<i>Lolium temulentum</i>	200 per pound
Docks	<i>Rumex</i> spp.	100 per pound
Dodders	<i>Cuscuta</i> spp.	100 per pound
Horsenettle	<i>Solanum carolinense</i>	200 per pound
Johnsongrass	<i>Sorghum halepense</i>	10 per pound
Knapweed, Russian	<i>Centaurea picris</i>	100 per pound
Moonflower, purple	<i>Calonyction muricatum</i>	9 per pound
Mustard, wild or turnips, wild	<i>Brassica</i> spp.	50 per pound
Nightshade	<i>Solanum elaeagnifolium</i>	200 per pound
Oats, wild	<i>Avena fatua</i>	50 per pound
Onion, wild	<i>Allium</i> spp.	18 per pound
Plantain, bracted	<i>Plantago aristata</i>	200 per pound
Plantain, buckhorn	<i>Plantago lanceolata</i>	200 per pound
Quackgrass	<i>Agropyron repens</i>	100 per pound
Radish, wild	<i>Raphanus raphanistrum</i>	50 per pound
Rice, red	<i>Oryza sativa</i> var.	200 per pound
Sandbur	<i>Cenchrus pauciflorus</i>	1 per pound
Sorghum alnum	<i>Sorghum alnum</i>	10 per pound
Sorghum	<i>Sorghum</i> spp.	10 per pound
Sorrel, sheep	<i>Rumex acetosella</i>	100 per pound
Sudangrass, and sorghum perennial sweet-type	<i>Sorghum</i> spp.	10 per pound
Thistle, blessed	<i>Cnicus benedictus</i>	27 per pound
Thistle, Canada	<i>Cirsium arvense</i>	100 per pound
Turnips, wild or Mustard, wild	<i>Brassica</i> spp.	50 per pound



**Item Pending Analysis**

<b>Prepared by:</b>	Aric Jensen	<b>Title:</b>	Assistant County Administrator
<b>Department:</b>	Administration	<b>Division:</b>	
<b>Date Prepared:</b>	October 11, 2023	<b>Meeting Date:</b>	October 24, 2023
<b>Approved for Consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM	
<b>Committee:</b>	Development & Services		
<b>Agenda Item/Council Motion:</b>	Direct the Administrator to research and present to Council current laws and benefits of enacting impact fees in Richland County. The purpose is to help reduce the tax burden on residents by not having to pay the complete cost of development in Richland County. [Malinowski (Pugh; Newton), 03 January 2023]		

**EXECUTIVE SUMMARY (NARRATIVE STATUS):**

An RFP for professional services to prepare an analysis of the current conditions and potential options has been prepared and submitted to the Procurement Department for publishing. It is anticipated it will take 2 months to select a vendor and then another two to three (2-3) months to conduct and prepare the report. Staff is tentatively scheduled to make a presentation to the Committee at its March 2024 meeting.

As a reminder, the initial analysis suggests there are limited opportunities for impact fee collections in Richland County because impact fees in South Carolina typically must fund new facilities for school districts, recreation districts, and utilities, and cannot be used for ongoing operations. The purpose of this study is to determine what opportunities exist and to give the Council enough information to determine if it wants to move to the next step, which is to create an impact fee ordinance and program.

**KEY ACCOMPLISHMENTS/MILESTONES:**

- Initial analysis completed
- RFP prepared and submitted to Procurement

**PENDING ACTIONS/DELIVERABLES AND ANTICIPATED COMPLETION DATES:**

December 2023	Vendor selected
February/March 2024	Report completed
March/April 2024	Report to Committee



**Item Pending Analysis**

<b>Prepared by:</b>	Michael Maloney	<b>Title:</b>	Director
<b>Department:</b>	Public Works	<b>Division:</b>	Special Services
<b>Date Prepared:</b>	October 16, 2023	<b>Meeting Date:</b>	October 24, 2023
<b>Approved for Consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM, SCCEM	
<b>Committee:</b>	Development & Services		
<b>Agenda Item/Council Motion:</b>	I move to direct the Administrator to review and update the illegal dumping ordinance, including raising fines up to \$5,000.00, jail time, and community service (picking up debris on roadways). [English, District 10]		

**EXECUTIVE SUMMARY (NARRATIVE STATUS):**

The Department of Public Works staff is reviewing the proposed language with other South Carolina Counties as well as reviewing the County’s current ordinance. The State of South Carolina is also reviewing its statute regarding illegal dumping.

Sec. 12-5 (c) of the County Code of Ordinances reads:

*Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days or fined not more than one thousand ninety-two and 50/100 (\$1,092.50) dollars, or both. Each day's continuing violation shall constitute a separate and distinct offense, unless otherwise specified.*

**CRITICAL ISSUES:**

- The fine begins when the Special Services Division identifies a person responsible for the problem.
- The fine is subject to Magistrate Court proceeding and findings.
- The Special Services Division clears 15 to 25 sites per week. It is very infrequent that the materials are traceable to an individual.

**TOP RISKS/CONCERNS:**

- The State statute fine is based on weight.
  - a. Less than 15 lbs. – not more than \$100, not more than 30 days imprisonment, plus 8 hrs. of community service.
  - b. 15 lbs. to 500 lbs. – not more than \$500, not more than 30 days imprisonment, plus 16 hrs. of community service growing to a maximum 32 hours of community service on third violation.
  - c. More than 500 lbs. – not more than \$1,000, not more than one-year of imprisonment
- In all cases, the Court may order the violating party to:
  1. Remove the dumped litter;
  2. Repair or restore the property;
  3. Perform community service relating to the removal of illegally dumped litter or restoration of an area polluted by illegally dumped litter.

The Richland County ordinance presently exceeds the fines of the State statute; however, the State statute has considerably more imprisonment time when littering over 500 lbs.

The State Statute addresses the motion’s proposed community service component, so staff will also recommend adding the same to the County Ordinance.

Staff recommends adding community service as a penalty for violating the County Ordinance 12-5 (c).

The following are recommended, progressive penalties for violations:

40 hours	first violation
80 hours	second violation
first offense fine	\$1,092.50.
second offense fine	\$2,185.00
Jail time recommended minimum	14 days for a second distinct offense

Staff recommends community service as a required judgement in addition to the fine for those found guilty of illegal dumping. Staff also recommends jail time after the first offense. This is currently an option to the Magistrate, but no minimum is given, just a maximum of 30 days.

The fine for any offense is \$1,092.50. Staff recommends doubling the fine to \$2,185.00 on second offense and beyond.

**ATTACHMENTS:**

1. Redlined County Ordinance
2. SC Counties - Illegal Dumping Penalties



## ARTICLE VIII. ENFORCEMENT

### **Sec. 12-58. In General.**

The Director of Public Works shall maintain a Refuse Control Section composed of duly appointed Codes Enforcement Officers who shall enforce the provisions of this Chapter.

### **Sec. 12-59. Littering.**

It shall be unlawful for any person to discharge litter, in any quantity, from their person, vehicle, property, or any other conveyance.

### **Sec. 12-60. Illegal Dumping.**

- (A) It shall be unlawful for any person to dump, allow another person to dump, or cause to be dumped any garbage, debris, household trash, litter, junk, appliances, equipment, cans, bottles, paper, trees, tree limbs, tree stumps, brush or parts thereof, or any other solid waste, anywhere in the unincorporated area of the county, except at an SCDHEC approved landfill. Failure of the owner to sufficiently limit access to the property where dumping is occurring shall be considered to be allowing another person to dump, thus would be unlawful.
- (B) The above provisions shall not apply to the dumping on private property, with the owner's written permission of sand, dirt, and stone for use as a fill to raise the elevation of land; provided, the same is not maintained in an unsightly condition and, further provided, the owner of the property on which such material is dumped agrees to level such dumped material with appropriate grading equipment to ensure compliance with best management practices for storm water management.

### **Sec. 12-61. Covering vehicle loads.**

It shall be unlawful for vehicles of any kind, transporting solid waste in any quantity, to fail in ensuring that said waste is contained therein by maintaining an adequate cover and containment throughout transit.

**Sec. 12-62. Debris on Lots.**

- (A) Declaration of nuisance. Debris allowed to accumulate and remain on any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the County Director of Public Works. For the purpose of this action, "residential area" is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced.
- (B) Duty of owner, etc., to remove. It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area within the county to remove such debris as often as may be necessary to prevent the accumulation of such debris
- (C) Notice to owner, etc., to remove. Whenever the Director of Public Works shall find that debris has been allowed to accumulate and remain upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises.
- (D) Failure to comply with notice. If the person to whom the notice is directed, under the provisions of the preceding subsection fails, or neglects to cause such debris to be removed from any such premises within ten (10) days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of this chapter.
- (E) Removal by County. In the event any property is determined to be a nuisance, and twenty(20) days has elapsed after such notice has been served, deposited in the United States mail, or posted upon the premises, then the Department of Public Works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by removing the debris, and the cost of doing so may become a charge to the property owner, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

**Sec. 12-63. Scavenging.**

It shall be unlawful for any person to rummage through, take or gather items from County- owned or privately owned solid waste management facilities or any County-

owned or privately owned solid waste management containers, including, but not limited to, bags, roll carts for garbage or recycling, bins, roll-off containers, or dumpsters.

**Sec. 12-64. Evictions.**

The placement of household goods and contents from a lawful eviction process, may, if necessary, be addressed in the same manner of the provision of Debris on a Lot (Sec. 12-62. above). Debris resulting from the lawful eviction process is assumed to be a mixed pile and therefore ineligible for collection under the Residential/Small Business Curbside Collection Program.

**Sec. 12-65. Collected Solid Waste is County Property.**

Once picked up for collection from the Residential/ Business Curbside Collection Program, or disposed of in any County Solid Waste Management Facility, all Solid Waste is County Property whose disposition is the responsibility of the County.

**Sec. 12-66. Penalties.**

- (A) If any of the matter or material dumped in violation of this Chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person, firm, or corporation prior to its being dumped as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such owner dumped or caused to be dumped such matter or material in violation of this Chapter.
- (B) Appointed Refuse Control Officers shall have the authority to enforce all the provisions of this chapter and shall issue summons to violators of any provision to appear in the Magistrate's Court of the County to answer to the charge of violation of the appropriate section of this chapter.
- (C) Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days required to complete 40 hours of community service or and fined not more than one thousand ninety two dollars and fifty cents (\$1,092.50) dollars, or both. Each day's continuing violation shall constitute a separate and distinct offense, unless otherwise specified.
- (D) For a second distinct offense and beyond, the community service and fine shall double; the minimum jail time is fourteen (14) days, not to exceed thirty (30) days.

**Sec. 12-67. Miscellaneous Enforcement Provisions.**

- (A) Appointed Code Enforcement Officers (hereinafter "Refuse Control Officers") shall have the authority to enforce all the provisions of this chapter and may issue warning letters, warning tickets, and citations for violations of those provisions. The violator may either appear in the designated magistrate's court of the County on a date determined by the court to answer to the charged violation(s) of the appropriate article and section of this chapter or may pay the fine and associated court costs at the magistrate court office prior to the court hearing.
- (B) If any solid waste improperly or illegally disposed of in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person prior to its being disposed of as prohibited herein, such identification shall be presumed to be *prima facie* evidence that such person disposed of or caused to be disposed of such solid waste in violation of this chapter.
- (C) Solid waste placed at curbside for collection shall be considered property of Richland County unless reclaimed by the generator of the waste. Solid waste delivered to any county owned solid waste management facility shall be considered property of Richland County. It shall be unlawful for anyone to take solid waste belonging to Richland County without prior written authorization of Richland County.
- (D) Proof of means used for proper disposal of solid wastes at businesses and commercial enterprises shall be presented to a County Refuse Control Officer when requested. This includes, but is not limited to, businesses engaged in lawn maintenance, landscaping, tree trimming/ removal, and transporting of any solid waste in Richland County.
- (E) Refuse Control Officers shall use Form S-438 when issuing citations unless approved otherwise in writing by the County Administrator. These Officers may, when they deem appropriate, issue a warning letter or a warning tickets for violations of this chapter. The warning ticket shall be of a design and content approved by the County Administrator.
- (F) If a non-compliant solid waste pile or roll cart, placed at curbside as part of the Residential / Small Business Curbside Collection Program, is not, in whole, brought into compliance for collection within a 15-day period following notification of non-compliance by the County, it shall be deemed to be an Illegal Pile and considered Illegal Dumping.
- (G) Preparation and storage of residential and/or small business solid waste for collection. It shall be the duty of the occupant or owner of any residential premises, or the owner or operator of any small business, to store all garbage properly, pending collection and

disposal. Residential excess garbage beyond that which can be placed in the roll cart shall be neatly placed in sealed plastic bags alongside carts on designated collection days.

- (H) All garbage receptacles except single-use paper or plastic bags and cardboard boxes shall be kept clean and free of accumulated waste and shall be treated with an effective insecticide, if necessary, to prevent nuisance.
  
- (I) Each property owner shall prevent the continued, excessive and unsightly accumulation of refuse upon the property occupied by him (or her) or on a public thoroughfare adjoining his or her property.
  
- (J) It shall be a violation of this article to place or cause to be placed in any dumpster, solid waste receptacle, or bulk container for collection any acid, explosive material, flammable liquids or dangerous or corrosive material of any kind, or any other hazardous waste.
  
- (K) No person other than the owner thereof, his or her agents or employees, or employees of contractors of the county for the collection of solid waste shall tamper or meddle with any garbage container or the contents thereof, or remove the contents of the container from the location where the same shall have been placed by the owner thereof or his agents.
  
- (L) Property owners shall be prohibited from receiving for deposit in their refuse containers any type refuse that originates outside their designated collection area
  
- (M) Property owners shall be responsible for policing any strewn refuse resulting from broken bags, garbage not properly prepared for collection or from any other cause other than contractor mishandling.
  
- (N) It shall be unlawful for a Resident / Small Business Owner to repeatedly leave Roll Carts at curbside in residential areas beyond the prescribed daily period for collection.

## **(OLD ORDINANCE) ARTICLE I. IN GENERAL**

### **Sec. 12-1. Dumping within rights-of-way prohibited.**

It shall be unlawful for any person to dump, throw, drop, leave, or in any way deposit any garbage, ashes, rubbish, paper, trash, litter, refuse, building materials, glass bottles, glass or cans on any property belonging to another on or along any street, road, highway, curb, sidewalk, or public right-of-way, except as required by the authorized and franchised garbage collector for that district; nor shall any person throw or deposit any refuse in any stream or other body of water within the boundaries of the county.

(Code 1976, § 11-4001; Ord. No. 389-77, § 1, 4-20-77)

**Cross reference(s)**--See also § [12-21](#).

**State law reference(s)**--Similar provisions, S.C. Code 1976, § 16-11-700.

### **Sec. 12-2. Litter control.**

(a) *Responsibility of driver.* When litter is thrown from a vehicle, the driver shall be held responsible regardless of who throws the litter out of the vehicle.

(b) *Procedures.* The following procedures shall be followed by refuse control officers when citing violators of this provision of this section:

(1) In accordance with South Carolina Code 1976, section 16-11-710, the county refuse control officers shall hereby be authorized to accept a cash bond in lieu of requiring an immediate court appearance by a person who has been charged in a violation of ordinances and laws relating to litter control. Checks shall be accepted instead of cash.

(2) Refuse control officers shall use Form S-438 when issuing citations.

(3) In cases where bail is accepted by arresting officers, the violator's copy of the summons (blue) shall serve as the receipt for the offender. Bail monies shall be properly secured during nonworking hours by the refuse control officer. Prior to the trial, the arresting officer shall turn the bail bond over to the magistrate who signs the receipt portion of the summons for the arresting officer. Strict accountability shall be required in accordance with established procedures of the county's finance department (Ordinance No. 233-1015-75, Sections 1 and 2).

(Ord. No. 954-82, § 11, 1-1-84)

### **Sec. 12-3. Scavenging through greenboxes.**

It shall be unlawful for any person to rummage through, remove, or salvage items from or otherwise scavenge from or tamper with any county-owned greenbox, solid waste container or the area located around green boxes and containers located within the unincorporated area of the county.

(Code 1976, § 11-1003; Ord. No. 794-81, §§ I, II, 4-2-81; Ord. No. 999-82, § I, 12-1-82; Ord. No. 1907-89, § IV, 9-5-89; Ord. No. 006-02HR, § I, 3-19-02)

### **Sec. 12-4. Debris on lots.**

(a) *Definition.* For purpose of this section, the term "debris" means refuse, rubbish, trash, garbage, offal, junk, spilth, waste, litter, and/or building materials that are determined to be deleterious to good health and public sanitation.

(b) *Declaration of nuisance.* Debris allowed to accumulate and remain on any lot or parcel of land in a developed residential area within the county may be deemed and declared a nuisance in the judgement of the county public works director. For the purpose of this action, "residential area" is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced.

(c) *Duty of owner, etc., to remove.* It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area within the county to remove such debris as often as may be necessary to prevent the accumulation of such debris.

(d) *Notice to owner, etc., to remove.* Whenever the county public works director shall find that debris has been allowed to accumulate and remain upon any lot or parcel of land in a developed residential area within the county in such a manner as to constitute a nuisance, s/he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises.

(e) *Failure to comply with notice.* If the person to whom the notice is directed, under the provisions of the preceding subsection fails, or neglects to cause such debris to be removed from any such premises within ten (10) days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of this chapter.

(f) *Removal by county.* In the event any property is determined to be a nuisance, and twenty (20) days has elapsed after such notice has been served, deposited in the United States mail, or posted upon the premises, then the department of public works or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by removing the debris, and the cost of doing so may become a lien upon the property affected, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

(g) Work may be done by county upon request. Upon the written request by the owner or the person in control of any lot or parcel of land covered by this section, and the payment to the county for the services, the department of public services may enter upon any such lands and remove the debris therefrom, the charge and cost of such service to be paid into the county treasury.

(Ord. No. 1130-84, §§ 1-7, 3-6-84; Ord. No. 1611-87, §§ 1-5, 5-5-87; Ord. No. 1843-89, §§ I-III, 3-7-89; Ord. No. 2086-91, §§ I, II, 4-16-91; Ord. No. 051-02HR, § II, 9-17-02)

## **Sec. 12-5. Penalties.**



(a) If any of the matter or material dumped in violation of this chapter can be identified as having last belonged to, been in the possession of, sent to, or received by, or to have been the property of any person, firm, or corporation prior to its being dumped as prohibited herein, such identification shall be presumed to be prima facie evidence that such owner dumped or caused to be dumped such matter or material in violation of this chapter.

(b) Appointed refuse control officers shall have the authority to enforce all the provisions of this chapter and shall issue summons to violators of any provision to appear in the magistrate's court of the county to answer to the charge of violation of the appropriate section of this chapter.

(c) Any person who violates the provisions of this chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be imprisoned for not more than thirty (30) days required to complete 40 hours of community service or and fined not more than one thousand ninety two dollars and fifty cents (\$1,092.50) dollars, or both. Each day's continuing violation shall constitute a separate and distinct offense, unless otherwise specified.

(d) For a second distinct offense and beyond, the community service and fine shall double; the minimum jail time is fourteen (14) days, not to exceed thirty (30) days.

(Ord. No. 954-82, §§ 12-1, 13-1, 13-2, 1-1-84; Ord. No. 023-01HR, § I, 4-17-01; Ord. No. 051-02HR, § II, 9-17-02)

### **Sec. 12-6. County landfills not to accept garbage, refuse and other waste material generated outside county.**

(a) The Richland County Landfill shall not accept garbage, refuse or other waste material which is generated outside of the county.

(b) Before being allowed to dump garbage, refuse, or other waste material in the county landfill, the person dumping said material shall sign a statement authenticating that said material was generated within the county.

(c) Any and each false statement signed by a person dumping material referred to in subsection (b) of this section shall constitute a violation of this chapter.

(d) The term "generated," as used in this section, shall mean the point of origin of garbage, refuse, or other waste material. Sludge from waste treatment plants located outside of the county which treat waste generated in the county may be accepted to the extent that the sludge is generated in the county.

(e) Any dispute as to the point of origin of garbage, refuse, or other waste material shall be decided by the director of public works and utilities.

(Ord. No. 1703-88, § 2, 1-5-88; Ord. No. 1736-99, §§ I-III, 4-19-88; Ord. No. 051-02HR, § II, 9-17-02)

### **Secs. 12-7--12-10. Reserved.**

## Illegal Dumping Penalties

Abbeville – Misdemeanor; punishable by fine of not less than \$100 and no more than \$200; Court must impose 5 hours of litter-gathering labor/public service

Aiken – Fined not less than \$100 and no more than \$200; Court must impose 5 hours of litter-gathering labor; second conviction a minimum of 20 hours of community service.

Allendale – No ordinances readily accessible online

Anderson – Misdemeanor; subject to maximum penalties authorized for magistrates' courts of the state or a civil penalty no exceeding \$500

Bamberg – Uniform summons; guilty of a misdemeanor and fined not less than \$200 or more than \$500 for each offense plus court costs or 30 days in jail, or both. Court may direct litter gathering labor and/or restitution for the costs of removing litter (for the specific violation)

Barnwell – Ordinance citation found but unable to access

Beaufort – Misdemeanor, fine or imprisonment penalty determined by weight. Only litter gathering community service is mandatory and may not be suspended

Berkeley – Misdemeanor; fined not more than \$500 or imprisoned for not more than 30 days

Calhoun – Misdemeanor, fine or imprisonment as provided by State statute

Charleston – Misdemeanor, fine determined by weight; minimum of 20 hours community service for second and subsequent violations

Cherokee – Misdemeanor, fined not less than \$100 and no more than \$200; 5 hours of litter gathering labor for second and subsequent offenses

Chester – Misdemeanor, fine or imprisonment determined by weight, 5 hours of litter gathering labor which jumps to 20 hours for second and subsequent convictions

Clarendon – No ordinance readily accessible online

Colleton – Misdemeanor; fined not more than \$500 (cannot be suspended to less than \$250) and/or imprisonment for not less than 2 days nor more than 30 days. Litter gathering escalates from 8 for a first conviction, 16 for second, and then 24 for third and all subsequent convictions

Darlington – Penalties as provided by State statute 16-11-700

Dillon – Small fine for tobacco products, otherwise fine of not less than \$200 nor more than \$500; imprisoned for a period of not more than 30 days.

Dorchester – Misdemeanor; fine and imprisonment determined by weight; community service “commensurate with the offense committed”

Edgefield – Fine, imprisonment, or both up to the maximum limit authorized by State statute

Fairfield – Fine of no more than \$200 or imprisonment not to exceed 30 days.

Florence – Misdemeanor, fined not more than \$500 or imprisoned for more than 30 days (it is difficult to match the offense with the penalty)

Georgetown – Misdemeanor, fine and imprisonment determined by weight, 5 hours minimum of litter-gathering labor. Court may allow community service at rate of 1 hour for every \$5 of fee

Greenville – Misdemeanor, punishment within jurisdictional limits of the magistrate's court

Greenwood – Misdemeanor; fine not to exceed \$100 or imprisonment for not more than 30 days; community service may be substituted by the court

Hampton – No litter officer at this time when contacted

Horry – Misdemeanor; first offense is fine of no less than \$200 nor more than \$500 and up to imprisonment for 30 days; second and subsequent offense is no less than \$500 and imprisonment for no less than 15 days or more than 30 days. Community service required as well.

Jasper – Misdemeanor; fined not more than \$500 (cannot be suspended to less than \$200) and/or imprisonment for not less than 2 days nor more than 30 days. Litter gathering escalates from 8 for a first conviction, 16 for second, and then 24 for third and all subsequent convictions

Kershaw – Misdemeanor; punishment within jurisdictional limits of magistrate's court

Lancaster – Misdemeanor; fine, imprisonment or both not to exceed amounts authorized by State statute

Laurens – Fine increases from \$250 to \$500 to \$1500 and there is mandated community service

Lee – No ordinance readily accessible online

Lexington – Misdemeanor, punishment within jurisdictional limits of the magistrate's court

Marion – No ordinance readily accessible online

Marlboro – Misdemeanor, fine of not less than \$100 nor more than \$500, litter gathering labor may be substituted at a rate of \$5 for 1 hour of labor

McCormick – Misdemeanor, fine and imprisonment determined by weight, community service required with 16 hours for first offense, 24 for second, and 32 for third and subsequent

Newberry – Misdemeanor; fine not less than \$500 or 30 days imprisonment; also litter gathering labor may be directed under the supervision of the court

Oconee – Misdemeanor; not less than \$100 nor more than \$500; litter-gathering labor determined by weight of the litter.

Orangeburg – Misdemeanor; fine and imprisonment determined by weight; litter-gathering labor minimum of five hours for each offense

Pickens – Fine of \$250 or 15 days in jail, remove the litter dumped; or compensate or repair damages arising out of dumping litter

Saluda – No ordinance readily accessible online

Spartanburg – Misdemeanor; Fine not less than \$100 or more than \$200; litter-gathering labor determined to be appropriate by the court.

Sumter – Fine not less than \$100 nor more than \$200, plus three hours of public service

Union – Misdemeanor; fine not less than \$100 nor more than \$200 for residents; penalty higher for nonresident litterers; 5 hours of litter-gathering labor required

Williamsburg – No ordinance readily accessible online

York – Fine referenced but not specified, general penalty is a fine of not more than \$500. Minimum of 5 hours of litter-gathering labor for first conviction, 20 hours for a second conviction