

**Minutes
City Council Meeting
Tuesday, April 9, 2024**

The regular meeting of the Mullins City Council was held Tuesday, April 9, 2024 at 6:00 P.M. The following were notified of the time, date, and place of the meeting: Mayor Robert L. Woodbury and Members of City Council, the City Staff, and the press. Present at the meeting were the following: Mayor Pro-Tem Carolyn Wilson, Council Members: Mayo Phillips, Kindra Brewton-Pompey, Albert Woodberry, Terry Davis, Eddie Kitchen, City Administrator Holly Jackson, City Attorney Bob Corley, Clerk Felicia Sawyer-Norton, Captain Justin Turner, Building Official Curtis Richardson, Michelle Brewton-Smith, Venolia Jordan, Michael Hayes, Adrian Brewton, Linda Neal, and many others.

1. Call Meeting To Order & Welcome: Mayor Woodbury called the meeting to order and welcomed all present.

Fire Chief Robert Stetson gave The Pledge of Allegiance.

Mayor Pro Tem Carolyn Wilson gave the invocation.

Mayor Robert Woodbury read the Civility Pledge.

2. Disclosure that local media has been informed of meeting pursuant to South Carolina Freedom of Information Act: Mayor Robert Woodbury stated the local media had been contacted regarding the time, date, and place of the regular meeting for April 9, 2024.

3. Approval of Agenda:

Council Member Terry Davis made a motion to accept the Approval of the Agenda. Mayor Pro Tem Carolyn Wilson seconded the motion.

4. Consent Agenda:

- (a) Approval of Minutes – March 12, 2024 – City Council Meeting
- (b) Approval of Monthly Bills

Council Member Eddie Kitchen made a motion to approve the Consent Agenda. Council Member Kindra Brewton-Pompey seconded the motion.

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5. Old Business:

(a) 1st Reading of ORDINANCE # 24-003 AN ORDINANCE TO AMEND ORDINANCE # 14-002, THE CITY OF MULLINS LAND DEVELOPMENT REGULATIONS FOR THE CITY OF MULLINS, SOUTH CAROLINA, AS AMENDED, TO INCLUDE PROVISIONS FOR REGULATIONS OF TINY HOMES.

Building Official Curtis Richardson discussed Ordinance #24-003 and its Importance. Designated areas would need to be established for Tiny Homes. Mayor Robert Woodbury made a motion to accept Ordinance #24-003 AN ORDINANCE TO AMEND ORDINANCE # 14-002, THE CITY OF MULLINS LAND DEVELOPMENT REGULATIONS FOR THE CITY OF MULLINS, SOUTH CAROLINA, AS AMENDED, TO INCLUDE PROVISIONS FOR REGULATIONS OF TINY HOMES. Council Member Terry Davis seconded the motion. The motion was not passed. Yay – Mayor Robert Woodbury, Council Member Terry Davis. Nay – Council Member’s: Mayo Phillips, Albert Woodberry, Eddie Kitchen, Kindra Brewton-Pompey, Mayor Pro Tem Carolyn Wilson.

6. New Business:

(a) Michelle Brewton-Smith – Pee Dee Coalition

Mayor Robert Woodbury recognized Michelle Brewton- Smith with Pee Dee Coalition. Mrs. Brewton-Smith discussed many issues, including Elder Abuse.

(b) Don Strickland – PDRTA

Mayor Robert Woodbury recognized Will Johnson with PDRTA. A copy of the slideshow given by Mr. Johnson is included in the minutes.

(c) Fair Housing Resolution #24-004

Mayor Robert Woodbury read Fair Housing Resolution #24-004.

(d) 200 & 228 N Main Street City Certification Resolution #24-005 /
Re: Mayer’s Garage

Mayor Robert Woodbury read 200 & 228 N Main Street City Certification Resolution #24-005 / Re: Mayer’s Garage.

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- (e) Building Inspector Curtis Richardson – Re: Vacant Lots & Code Enforcement Tickets

Mr. Curtis Richardson spoke about the Vacant Property Registration Checklist. Mayor Pro Tem Carolyn Wilson made a motion to approve the Checklist. Council Member Kindra Brewton-Pompey seconded the motion.

Mr. Richardson stated he would soon begin to write Code Violation Tickets.

Mr. Richardson provided a Rental Property application that includes a \$25.00 fee. A sample Ordinance has been included in the packet.

Mr. Richardson expressed his need for administrative personnel.

7. Committee Reports:

Council Member Mayo Phillips discussed Finance.

Council Member Terry Davis had nothing to report.

Council Member Kindra Brewton-Pompey discussed annexation for Little Pee Dee Manor.

8. Mayor Reports:

Mayor Robert Woodbury stated the County Landfill will resume on April 30th.

9. Comments:

- (a) Venolia Jordan / King's Court

Mayor Robert Woodbury recognized Venolia Jordan with King's Court. A copy of Mrs. Jordan's letter is attached.

10. Executive Session:

- (a) Curtis Rush - Mullins Downtown Development / Contractual
- (b) Personnel – Contractual

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Council Member Mayo Phillips made a motion to go into Executive Session. Council Member Terry Davis seconded the motion.

11. Return to Open Session:

Mayor Pro Tem Carolyn Wilson made a motion to Return to Open Session. Council Member Terry Davis seconded the motion. There was no action taken.

12. Adjournment:

Council Member Kindra Brewton-Pompey made a motion to adjourn. Council Member Eddie Kitchen seconded the motion.

Mayor Robert Woodbury

Attest:

Felicia Sawyer-Norton, Clerk



Administrative Office

151 E Front St.
Mullins, SC 29574

Business Licensing

Please take a few minutes to review the application before beginning to be sure that you have all of the required information. Please note that incomplete applications will not be accepted.

New application

Renewal

Rental Property Information

Location information of the rental property to be registered. One application may be submitted for all units on a single TMS (Tax Map Sequence) number.

TMS Number (Tax Map Sequence)

Address

City

State

Zip

Property Owner Contact Information

Applicants must submit contact information for the property owner or a member of the LLC, LLP or INC.

First Name (Owner)

Last Name (Owner)

Owner's Mailing Address

City

State

Zip

Phone Number

Email Address

Registration Requirements

Residential rental units shall not be registered to a landlord who does not reside within a thirty (30) mile radius of the City of Mullins, unless a responsible local representative who resides or has an office within a thirty (30) mile radius of the City of Mullins is designated by the landlord in its registration application.

Service or Emergency Contact

For every registered rental unit, the landlord or its agent must be able to service tenant and emergency calls within a reasonable time upon dispatch.

First Name (Service/Emergency Contact)

Last Name (Service/Emergency Contact)

Service/Emergency Contact Phone Number

Service/Emergency Contact Email

Professional Management Company

Do you have a professional management company or other responsible local representative?

YES

NO

Rental Unit Information

<p style="text-align: center;">Business License Number</p>	<p>Owners of five (5) or more registered residential rental units shall also be required to obtain a business license.</p>
	<p>How many rental units are located at this TMS?</p>
	<p><input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5 <input type="checkbox"/> 6 <input type="checkbox"/> 7 <input type="checkbox"/> 8</p>
	<p><input type="checkbox"/> More that 8</p>

<p>Multiple Units</p>	<p>Multiple units located at the same TMS can be registered on one application when they are owned or managed by the same landlord.</p>				
<table border="1" style="width: 100%; height: 20px;"> <tr><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td><td style="width: 25%;"></td></tr> </table>					

<p>I certify and acknowledge by my signature below that:</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Signature</p> <p style="text-align: center;">_____</p> <p style="text-align: center;">Print</p>	<p><input type="checkbox"/> The premises are safe, sanitary, and fit fro human occupation and use:</p> <p><input type="checkbox"/> I am in compliance with the provisions of this division with respect to any other residential rental unit I own or manage:</p> <p><input type="checkbox"/> I will possess proof that all required registration fees have been paid as required. (Invoice will be mailed after application has been processed.)</p>
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Residential Rental Registration *Residential Rental Registration Ordinance* Please sign that you have read, agree and received a copy

Individual Unit address	
1	
2	
3	
4	
5	
6	
7	
8	



City of Mullins South Carolina

2023 VACANT PROPERTY REGISTRATION CHECKLIST

This checklist will help you collect information you need before completing your Vacant Property Registration.

SUBJECT PROPERTY FORMS AND ATTACHMENTS

SUBJECT PROPERTY ADDRESS: _____

- Complete Registration Form
The following sections must be complete:
 - Vacant Property Information
 - Registrant Information including Plan of Action
 - Plan of Action
 - Signature of Owner or Property Manager
- Trespass Affidavit (requires notarization)
- Floor plan (if architectural drawing not available, floor plan can be hand drawn)
- Proof of liability insurance (single family homes exempted)

FEES AND FEE WAIVERS

All Registrations must include a payment for the required Registration and Inspection Fees or a written request for a Fee Waiver.

- _____ Registration Fee (\$250 for single family or \$750 for non-single family)
- _____ Inspection Fee (\$50, plus an additional \$0.01 per ft over 5,000 sq ft)
- _____ Total Amount of Registration and Inspection Fees included (**both are required**)

If submitting a registration after the registration deadline, a \$150 late fee applies.

If applying for a fee waiver, please make sure to complete this part of the checklist.

- Select appropriate fee waiver type on page 4 of Registration Form
- Enclose signed letter requesting Fee Waiver and reason for the request
- Enclose supporting documentation for Fee Waiver request (for example, building permit, certificate of appropriateness, tax return, etc.)

**Do not make payment without also completing property registration.
Payment alone does not meet the registration requirement of the program.**



City of Mullins South Carolina

VACANT PROPERTY REGISTRATION FORM

The trespass affidavit must be notarized.

If you need assistance registering, please call 843-464-5660 or email crichardson@mullinssc.us

VACANT PROPERTY INFORMATION

SUBJECT PROPERTY

Physical address of Subject Property:

City: State: Zip Code:

Number of Vacant Buildings: Total Vacant Square Footage:

Last Date of Occupancy: Single Family Property (Y/N):

REGISTRANT INFORMATION

OWNED BY INDIVIDUAL(S)

Name of First Property Owner: Date of Birth:

Physical address of Owner:

City: State: Zip Code:

Mailing address of Owner:

City: State: Zip Code:

Home Phone: Business Phone: Email:

Name of Second Property Owner (if applicable): Date of Birth:

Physical address of Second Property Owner:

City: State: Zip Code:

Mailing Address of Second Owner:

City: State: Zip Code:

Home Phone: Business Phone: Email:

List of Additional Property Owners:

OWNED BY CORPORATION, LIMITED PARTNERSHIP, LIMITED LIABILITY COMPANY, TRUST, ESTATE, OR OTHER LEGAL ENTITY

Name of Entity:

Physical Address of Entity:

City: State: Zip Code:

Mailing Address of Entity:

City: State: Zip Code:

Phone: Email:

Name of Registered Agent/Trustee/Representative:

Physical Address of Agent:

City: State: Zip Code:

Phone: Email:

Mailing Address of Agent:

City: State: Zip Code:

Phone: Email:

DESIGNATED LOCAL PROPERTY MANAGER

Name of Property Manager:

Mailing Address of Property Manager:

City: State: Zip Code:

Phone: Email:

VACANT PROPERTY INFORMATION

PLAN OF ACTION*

1.) Provide a **detailed timeline** for correcting all violations and a plan to meet the minimum standard of care for vacant properties as outlined in Chapter 15.40, Article I, Sec. 15.40.040 of the City of Mullins Ordinances.

Common violations of the maintenance standard of care include, but are not limited to, missing windows and doors, plywood on windows and doors, exterior walls and trim needing paint, exterior walls and trim needing repair due to damage or rot, etc. (**See attached Sec. 12-6 Standard of Care** for complete list of ordinance maintenance requirements for vacant properties.)

2.) Identify the measures that will be taken to maintain the property while it is vacant.

3.) Provide a plan for the future use of the property.

***This Plan of Action must be updated and delivered to the City of Mullins every six (6) months.**

Title 17 VACANT BUILDINGS AND DECONSTRUCTION¹

CHAPTER 17. VACANT STRUCTURES

Sec. 17-1. Definitions.

The following words, terms, and phrases, when used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meanings:

- (1) *Historic district* means an area designated as such through approved means by city council, state or federal authority, and as previously defined and adopted in this Code.
 - a. *Historic landmark* means an individual structure or property which has been designated as such through approved means by city council, state or federal authority, and as previously defined and adopted in this Code.
- (2) *Secured* means that all accessible means of ingress and egress to the vacant structure, including but not limited to all exterior doorways and windows are locked so as to prevent unauthorized entry by vagrants and criminals.
 - a. *Temporarily secured* means that all accessible means of ingress and egress to the vacant structure, including but not limited to all exterior doorways and windows are covered with plywood which has been nailed or bolted in place so as to prevent unauthorized entry by vagrants and criminals.
- (3) *Structure* means that which is built or constructed.
- (4) *Vacant structure* means that all lawful activity has ceased, or reasonably appears to have ceased for thirty (30) days.
 - a. *Lawful activity* is that the current use of the structure is also that which the structure was built for or intended to be used for.

Sec. 17-2. Applicability and administration.

- (a) This Chapter shall apply to all vacant structures, as defined herein, which are now in existence or which may hereafter be constructed or converted from other uses and which are located within the boundary of the city limits of Mullins, SC.
- (b) The Building Official or designated representative is authorized to administer and enforce the provisions of this Chapter.
- (c) The Building Official or designated representative shall have the authority to render interpretations of this title and to adopt policies and procedures in order to clarify the application of its provisions. The Building Official or designated representative, at his sole discretion, may also enter into an agreement with a registered property owner to obtain compliance with this Chapter by a date certain.

Sec. 17-3. Registration required.

- (a) The vacant structure property owner shall have ninety (90) days in which to register from the date that written notice is issued to the property owner. Written notice shall be issued to the vacant structure
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property owner by means of personal service, or by first class mail to their last known address according to Marion County Appraisal records, and by posting on the property. The Building Official may consider evidence provided that the property is listed for sale or lease for fair market value and for a reasonable length of time for purposes of extending the length of time before the property must be registered.

(b) Upon the issuance of notice to register vacant structure, property owners shall register with the Department and provide the following information:

- (1) The address and legal description of the property;
- (2) The current name, physical address, mailing address, telephone number, and email information for any owner(s) with an ownership interest in the property. Corporations or corporate entities shall submit the same information pertaining to their registered agent.
- (3) The contact information for a local manager of the properties and/or improvements located on said property, as applicable.
- (4) Proof of liability insurance, no less than one hundred thousand dollars (\$100,000.00), for the property and/or a surety bond for the value of structure if insurance cannot be obtained. Said value shall be the appraised value as determined by the Marion County Appraisal Office. This subsection is not applicable to single family residential structures.
- (5) Complete the comprehensive plan of action form, provided by the department, detailing a timeline for correcting violations, rehabilitation, maintenance while vacant, and future use of the structure. The plan of action must be updated every six (6) months.
- (6) A complete floor plan of the property for use by first responders in the event of a fire or other catastrophic event.
- (7) Criminal trespass affidavits shall be filed with the City of Mullins Police Department by the property owner and said property owner shall post "No Trespass" placards on the premises. Additional employment of security services for the property for a specified number of hours every day, may be required by the Building Official or designated representative on the basis of the property's history of code and/or criminal violations.
- (8) Vacant structure property owners shall provide written notice to the Building Official or designated representative, including a copy of the deed, of a change in:
 - a. Ownership of the property;
 - b. Contact information for either the owner or the designated manager.Written notice must be provided to the department no later than 30 days after said changes have occurred.

(c) Continued annual registration of the property by the vacant structure property owner is required until said structure is deemed occupied and in compliance with all relevant code requirements by the Building Official or designated representative.

Sec. 17-4. Registration fees.

- (a) Vacant structure property owners shall tender an annual registration fee of two hundred fifty dollars (\$250.00) for single-family residential structures or seven hundred fifty dollars (\$750.00) for all other structures, with an annual inspection fee of one cent (\$0.01) per square foot, as determined by Marion County Appraisal Office or the city Building Official, with a fifty-dollar (\$50.00) minimum charge. The registration fee shall be pro-rated for the first time a property is registered with the city. Subsequent annual registration fees shall be due and postmarked no later than January 31st of each year.
 - (b) If the registration paperwork is submitted in its entirety within forty-five (45) days of the date the written notice was mailed, then the property owner may be entitled to a one hundred dollar (\$100.00) discount.
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However, failure to submit the registration paperwork in its entirety within the ninety (90) day time period may result in an additional one hundred fifty dollar (\$150.00) fee.

Sec. 17-5. Property manager or agent.

- (a) Vacant structure property owners must designate a local manager for said properties and include the relevant contact information for the designated manager upon registering the property with the City. Property managers shall act as agents for the property owner for purposes of accepting legal service, however the vacant property owner remains personally liable in criminal prosecutions for code violations.
- (b) The property manager or agent must be available at the number listed at all times in the event of an emergency or catastrophe. For all vacant properties except for single-family residential structures: the name and telephone number of the property manager or agent must be posted at the front of the building, in large, legible print.

Sec. 17-6. Standard of care for vacant property.

- (a) The standard of care, subject to approval by the Building Official or designated representative, shall include, but is not limited to:
 - (1) *Protective treatment:* All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition, weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight.
 - (2) *Premises identification:* The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102mm) high with a minimum stroke width of one-half inch (12.7mm). All buildings shall display a vacant building identification placard as required by the Building Official or designated representative.
 - (3) *Structure:* All structural members and foundation shall be maintained free from deterioration, and shall be capable of safely supporting the imposed loads.
 - (4) *Exterior walls:* All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls shall be maintained weatherproof and properly surface coated where necessary to prevent deterioration.
 - (5) *Roof and drainage:* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be maintained in good repair, free from obstructions and operational.
 - (6) *Decorative features:* All cornices, belt courses, corbels, applications, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
 - (7) *Overhang extensions and awnings:* All overhang extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.

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- (8) *Stairways, decks, porches and balconies:* Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
 - (9) *Chimneys and towers:* All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
 - (10) *Handrails and guards:* Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
 - (11) *Window, skylight and door:* Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which shall be secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, and the same shall be removed within a period of time designated by the Building Official or designated representative.
 - (12) *Basement hatchways and windows:* Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against entry of rodents.
- (b) All repairs shall be subject to approval by the Building Official or designated representative. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules. Historic properties and properties within designated historic districts are additionally subject to all applicable rules and regulations as codified in Sec. 15.32.650. - Historic structures of the Code.
 - (c) Failure to maintain the vacant property to the standard of care specified by the department is a violation of this Chapter.

Sec. 17-7. Fee waivers.

All fee waivers must be applied for, using the forms provided, on an annual basis, and are subject to approval by the Building Official or designated representative. A fee waiver is only valid for twelve (12) months.

- (1) Property which has been devastated by a catastrophe such as fire or flood: The owner has thirty (30) days to register from the date of the disaster but may be exempt from the fees. This exemption is for the duration of one (1) year from the date of the catastrophe; thereafter all applicable fees are due.
- (2) A property owner who is indigent must register and is otherwise subject to this Chapter but may be exempt from the fees.
- (3) Representatives of a property owner who is deceased or is no longer legally competent must register the property and are otherwise subject to this Chapter but may be exempt from the registration fees.
- (4) Where the owner of the property has obtained a building permit and is progressing in an expedient manner to prepare the premises for occupancy, the owner must register the property and is otherwise subject to this Chapter but may be exempt from the registration fees.
- (5) Where the property owner of a property that is not a single-family residence has maintained the property to the standard of care required under this Chapter, as well as all other applicable ordinances and laws, the owner must register the property but may be exempt from the registration fees.

Sec. 17-8. Exemptions.

Single-family residential structures which meet the standard of care as stated in section 17-6 are exempt from this Chapter.

Sec. 17-9. Jurisdiction, enforcement and penalties.

- (a) Written notice of violation will precede the issuance of a criminal citation, in which the vacant property owner will be given a reasonable length of time, as determined by the Building Official or designated representative, to remedy the violation. Written notice shall be issued to the vacant structure property owner by means of personal service, or by first class mail to their last known address according to Marion County Appraisal Office records, and by posting on the property.
- (b) Failure to register with the department after written notice to the vacant structure property owner, as is hereinafter specified, is a violation of this Chapter.
- (c) Violation of this chapter is a Class C misdemeanor.
 - (1) This is a strict liability offense in which no mental state is required.
 - (2) The fine for this offense may not exceed five hundred dollars (\$500.00). *— or 30 days*
- (d) Administrative, civil, and criminal enforcement are alternative remedies which may be sought independently of each other. Criminal prosecution may occur regardless of pursuit of civil or administrative remedies and vice versa.

Secs. 17-10—12-19. Reserved.

CHAPTER II. DEMOLITION/DECONSTRUCTION

Sec. 17-20. Purpose and scope.

- (a) *Purpose.* This Chapter shall be construed to secure its expressed intent, which is to provide demolition and deconstruction requirements to safeguard the public safety, health, and general welfare associated with building removal, including the reduction of airborne toxic pollutants, carbon emissions, water consumption, and the dumping of refuse and demolition waste. In addition, this Chapter seeks to increase the availability of high-quality and reclaimed building materials for local re-use; improve equity of access to building materials for use in affordable housing preservation and production; encourage neighborhood continuity; retain historic building materials in the communities from which they originated; develop and sustain a local workforce in construction, heritage trades, and deconstruction; and achieve citywide sustainability goals and mitigation strategies., including the development of a local circular economy. The purpose of this Chapter is not to create or to establish a standard for a building product, material or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building.
- (b) *Scope.* This Chapter provides the procedures to be followed by all persons engaged in the removal of commercial, residential and accessory structures within the territorial limits of the City of Mullins, South Carolina that meet the criteria for demolition or deconstruction established herein.

Sec. 17-21. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Chapter.

Accessory structure means a building, structure, or use on the same lot with, and of a nature customarily incidental and subordinate to, the principal building or use. Examples include garages carriage houses, accessory dwelling units, or tool sheds.

City means the City of Mullins, South Carolina.

Deconstruction means the systematic dismantling of a structure, typically in the opposite order it was constructed, from roof to foundation, in order to maximize the salvage of materials for re-use, in preference over salvaging materials for recycling, energy recovery, or sending the materials to the landfill.

Demolition means the complete or partial removal of a structure from a site.

Building Official or designated representative means the Building Official or designated representative of the Building Department for the City of Mullins, South Carolina, and his/her designee.

Multi-unit structure means a residential structure with two (2) or more residential attached dwelling units including, but not limited to, duplexes, apartments, townhomes, and condominiums.

Period of deconstruction means the period beginning on the date the city issues a demolition permit with deconstruction requirements and ending on the date the city approves the post-deconstruction form, which shall be a maximum of sixty (60) calendar days or as specifically provided in the permit requirements of the subject application, whichever period is greater.

Post-deconstruction form means an inventory of actual materials salvaged for re-use or donation, as well as materials discarded or landfilled, to be completed and submitted after deconstruction is fully complete to initiate permit closure by the Building Official or designated representative.

Pre-deconstruction form or salvage plan means an inventory of materials to be salvaged for re-use or donation as part of an application to deconstruct.

Recycling means the processing of waste materials into new products or material feedstock for products. Materials that can be recycled include, but are not limited to, concrete, metal piping, and asphalt roofing shingles.

Re-use means the utilization of a product or material that was previously installed for the same or similar function to extend its life cycle. Materials salvageable for re-use include, but are not limited to, cabinets, doors, hardware, fixtures, flooring, siding, and framing lumber.

Single-family structure means a dwelling unit for one (1) family.

Structure means a walled or roofed building that was constructed to provide occupied or unoccupied shelter or enclosure.

Sec. 17-22. Applicability and administration.

This Chapter applies to any request for demolition of residential and accessory structures within the territorial limits of the City of Mullins that meets the criteria for deconstruction as established in this Chapter.

- (1) *Criteria.* Any application for demolition of a structure that is determined by the Building Official or designated representative to meet the criteria for deconstruction shall consider the construction date and original use of the structure. The Building Official or designated representative, at his or her discretion, may refer the applicability of criteria to a property for historic and design review to obtain recommendation before a determination is made.
 - a. *Construction date.* The construction date of a structure shall be informed by available primary sources including, but not limited to City of Mullins Maps, deed records, appraisal data, and/or other applicable research methods.
 - b. *Original use.* The original use of the property shall be determined by the Building Official or designated representative after a visual assessment of construction type. The current zoning or use of the property does not determine whether the requirements of this section apply.
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- (2) The Building Official or designated representative is authorized to administer and enforce the provisions of this Chapter and adopt rules, procedures, and forms to implement the provisions of this Chapter.
 - (3) The Building Official or designated representative may temporarily suspend or modify the requirements of this Chapter based on a determination that such requirements are temporarily infeasible due to economic or technical circumstances.

Sec. 17-23. Demolition permit and deconstruction requirements.

- (a) *Permit required.* No person shall demolish a residential or accessory structure that is eligible for deconstruction under this Chapter without first obtaining a demolition permit from the city.
 - (1) *Pre-application conference.* An applicant requesting to demolish a structure that meets the criteria for deconstruction, may meet with the Building Department to discuss the procedures and requirements pursuant to this Code. The required forms may be obtained from the Building Department prior to or at the time of application.
 - (2) *Applications.* All applications for demolition of a residential structure shall be referred to the Building Department for a determination of applicability for deconstruction. The Building Official or designated representative shall determine, in writing, the construction date, original use, and applicability for deconstruction. If the provisions of this Chapter apply, the city shall notify the applicant of the Building Official or designated representative's decision and of the deconstruction requirements of the demolition permit within ten (10) business days after an application for demolition permit is filed with the city's development services department. The Building Official or designated representative, at his or her discretion, may refer the applicability of criteria to a property to the historic and design review commission (HDRC) for a recommendation before a determination is made. An appeal of the Building Official or designated representative's decision may be made as set forth in section 17-25 of this Chapter.
 - (3) *Issuance of a permit.* A demolition permit for deconstruction shall only be issued to a contractor who shall be responsible for the deconstruction activities of the subject application throughout the period of deconstruction.
- (b) *Deconstruction requirements.* Upon issuance of a permit, a contractor shall adhere to the applicable deconstruction requirements and submit to the Building Department the following forms and documentation for review and approval before the post-work evaluation is performed.
 - (1) *Pre-deconstruction form.* The contractor of a structure subject to deconstruction under this Chapter shall complete and submit a pre-deconstruction form to the Building Department.
 - (2) *Post-deconstruction form.* The contractor of a structure subject to deconstruction under this Chapter shall complete and submit a post-deconstruction form to the Building Department within ten (10) calendar days after completion of the deconstruction work.
 - (3) *Documentation.* The contractor of a structure subject to deconstruction under this Chapter shall submit documentation identifying the destination for all materials removed to the Building Department no more than ten (10) calendar days after completion of the deconstruction work as part of a complete post-deconstruction form. The Building Department shall review and approve the documentation before conducting the post-work evaluation. The contractor shall be responsible for providing the Building Department office copies of documentation requirements as provided by staff:
 - a. Photographs of deconstruction in progress, to be taken weekly at a minimum;
 - b. Itemized receipt of materials and quantities donated to a nonprofit or community organization;
 - c. Itemized receipt of materials and quantities sold;
 - d. Itemized list and photographs of salvaged material that will be re-used on site or at another site;

- e. Transaction receipt or weight tickets for the disposal of hazardous material abated during the course of deconstruction; and
 - f. Transaction receipts or weight tickets for all materials taken to a transfer facility, material recovery facility, and/or landfill.
- (4) *Site posting.* The Building Department shall provide the certified contractor a sign(s) when the deconstruction permit is issued. The certified contractor shall post the sign(s) on site before the first day of deconstruction activity and it shall remain on site until the deconstruction is complete. The sign(s) shall indicate that the structure is being deconstructed and must provide city contact information for questions or concerns.
- a. The sign(s) must remain in place throughout the period of deconstruction;
 - b. The sign(s) must be placed on each street frontage of the site; and
 - c. The sign(s) must be posted within five (5) feet of a street lot line and must remain visible to pedestrians and motorists. Signs are not required along street frontages that are not improved or not named, and/or do not allow motor vehicle access.
- (5) *Building removal.* Building removal shall be performed by a certified contractor as follows:
- a. Building removal shall be completed within the period of deconstruction;
 - b. Materials shall be removed by hand to the fullest extent possible while maintaining original sizes and dimensions;
 - c. Nails, screws, or items used to secure materials in place shall be removed and prepared for re-use where feasible; and
 - d. Removal and disposal of hazardous materials shall be in accordance with this Chapter, and any other local, state, or federal laws, rules, or regulations.
- (6) *Salvageable materials.* The property owner may re-use, sell, or donate salvage materials from a deconstruction site before the materials leave the site, provided that the distribution of the materials meets the documentation requirements under section 17-23(b) of this Chapter.
- (7) *Site storage.* Materials shall be stored and covered to protect them from exposure to rain and permeable ground contact during the period of deconstruction. Materials from the deconstructed building may only be safely stored on site during the period of deconstruction, provided that they are safely stacked and secured. The property owner shall remove all materials not sold, donated, or re-used from the deconstruction site by the deconstruction completion date and within the period of deconstruction.
- (8) *Deconstruction review.* Before post-deconstruction review is approved by the Building Official or designated representative, the contractor of a structure shall submit a post-deconstruction form and all required documentation to the Building Department.
- (c) *Site inspections.* Upon the written consent of the property owner of the subject application, the Building Official or designated representative is authorized to conduct site inspections throughout the period of deconstruction to assure compliance with this Chapter.
- (d) *Compliance.* Any demolition work that exceeds or violates the provisions of this Chapter shall be subject to penalties set forth in section 17-26 of this Chapter. Compliance with the provisions of this Chapter does not exempt the demolition of buildings or structures from any other requirement.
- (1) Contractors shall follow all deconstruction, building related and licensing requirements, regulations, and laws.

- (2) Failure to complete deconstruction, remove materials, and obtain approval of the post-deconstruction form within the period of deconstruction shall result in the city completing the abatement of the property at cost of the property owner.
- (e) *Suspension or revocation of deconstruction certification.* In the event a contractor fails or refuses to comply with requirements of this Chapter, performs demolition work that exceeds or violates the deconstruction requirements of the demolition permit issued, or does not complete the deconstruction activities and documentation of a permit issued under this Chapter, then the Building Official or designated representative may suspend or revoke the deconstruction certification of such contractor, cancel all unexecuted permits issued to such contractor, and stop all work being done by such contractor, and withhold approval of further permits for deconstruction work until any or all incomplete or defective work of such contractor is fully completed by such contractor. Suspension or revocation of deconstruction contractor certification is accomplished by mailing to the holder of such certification a written notice by certified mail stating the permit or certification is suspended or revoked or by personally delivering to the holder thereof a written notice stating the permit or certification is suspended or revoked. An appeal of the Building Official or designated representative's decision may be made as set forth in section 17-25 of this Chapter.

Sec. 17-24. Exemptions.

- (a) *Exemptions.* Building conditions, damage, catastrophic events, or other factors may limit suitability for deconstruction and the amount of material that can be reasonably or safely salvaged. The following are exempt from the requirements of this Chapter:
- (1) A structure is unsuitable for deconstruction because:
 - a. The structure has been determined to be a clear and imminent danger to life, safety, or property under Mullins City Code Chapter 15, **Sec. 15.36.040. - Determination of unfit dwelling.**; or
 - b. A large majority of material in the structure is not suitable for re-use as determined by the Building Official or designated representative upon review of a request from exemption from the contractor assigned to the project.
- (b) *Determination of an exemption.* The Building Official or designated representative will decide exemptions based on evidence submitted as well as by an inspection of the conditions of the property to confirm unsuitability. Upon determining that the request for an exemption contains all the required information, the Building Department will contact the applicant within five (5) business days to request a site visit on a mutually agreed upon date and time. Within five (5) business days of the site visit, the Building Official or designated representative will either approve, deny, in whole or in part, or request additional information. Receipt of requested additional information will be reviewed and a determination will be made within five (5) days of receipt. The Building Official or designated representative, at his or her discretion, may refer the criteria for exemption to the City Council for a recommendation before a determination is made. The Building Official or designated representative's decision may be appealed in accordance with section 17-25 of this Chapter.

Sec. 17-25. Appeals.

- (a) *Notice of appeal.* An appeal of the Building Official or designated representative's decision may be made by the property owner of the subject application. The property owner shall file a notice of appeal with the Building Department within ten (10) business days after the issuance of the Building Official or designated representative's decision. Upon receipt of a notice of appeal, the Building Official or designated representative shall transmit to the Zoning Board of Appeals for the City of Mullins all original documents and materials, or true copies thereof, constituting the record upon which the decision appealed from was based.

- (b) *Appeal hearing.* The Zoning Board of Appeals (ZBA) shall decide the appeal within sixty (60) days after receipt of a notice of appeal. The property owner may appear at the appeal hearing in person or by agent or attorney. The ZBA shall consider the same criteria as the Building Official or designated representative. The ZBA may reverse or affirm, in whole or in part, or modify the Building Official or designated representative's decision by the concurring vote of three of the five members.
- (c) *Building appeals board.* Notwithstanding any other language in this section, demolition orders issued by the building department requiring compliance with this Chapter shall follow appeal procedures in accordance with the City Code.

Sec. 17-26. Violations, penalties, and enforcement.

- (a) *Violations.* It shall be unlawful for a person to fail to adhere to any provision of this Chapter. Each violation of a particular section of this Chapter shall constitute a separate offense, and each day an offense continues shall be considered a new violation for purposes of enforcing this Chapter.
- (b) *Penalties.*
 - (1) *Criminal.* A conviction for violation of any provision of this Chapter shall constitute a Class C misdemeanor. A person convicted of a violation shall be fined an amount not to exceed five hundred dollars (\$500.00) per violation. A culpable mental state is not required to prove an offense under this Chapter.
 - (2) *Civil.* A person found liable for violation of any provision of this Chapter shall be subject to a civil penalty in an amount not to exceed one thousand dollars (\$500.00) per violation.
 - (3) *Administrative.* The Building Official or designated representative, at his or her discretion, is authorized to take any and all appropriate administrative actions against violators of this chapter and upon a finding thereof, including but not limited to recommendations that registrations to conduct business within the city be revoked for a set length of time, revocations of certificates of deconstruction, and denial or revocation of present and future permits for a set length of time. Appeals of any administrative action taken will follow the process set forth in their respective chapters.
- (c) Nothing in this Chapter shall limit the remedies available to the city as provided by law in seeking to enforce this Deconstruction Code. The Building Official or designated representative shall have authority to designate trained personnel to issue notices of violation and to make accompanying affidavits to enforce this Code for the benefit of the public health, safety, and welfare.

FEE WAIVER REQUEST

The following fee waivers may be applied to your registration if you meet one or more of these qualifications. Please check the fee waiver that you would like to apply for, include a written request for a fee waiver and attach any pertinent documentation to this registration form as evidence for the waiver.

- 1.) Your property has been devastated by a catastrophe such as a fire or flood within the past 30 days.
- 2.) The owner of the property is indigent.
- 3.) You are a representative of a property owner who is deceased or no longer legally competent.
- 4.) You have obtained a building permit and are progressing in an expedient manner to prepare the premises for occupancy.
- 5.) You have maintained your property to the standard of care as outlined in the IPMC (International Property Maintenance Code) for at least two years.

****Fee Waivers granted by the City of Mullins are only valid for the current calendar year.****

REQUIRED ATTACHMENTS

- 1.) Proof of liability insurance, no less than \$100,000, for the property or a surety bond for the value of the property, if insurance cannot be obtained. Said value shall be the appraised value as determined by the Marion County Appraisal District.
****This requirement is not applicable to single family residential structures****
- 2.) A complete floor plan of the property for use by first responders in the event of a fire or other catastrophic event.
- 3.) A "Criminal Trespass" affidavit from the City of Mullins Police Department and visual proof (e.g. photograph) that "No Trespass" placards have been placed on the premises (see form enclosed).
- 4.) If applying for a fee waiver or extension, include a written letter requesting such, plus supporting documentation.

REGISTRATION & INSPECTION FEES

Payment or a request for a fee waiver can be made online with registration. If sending by mail, a check, money order, or a written request for a qualified fee waiver must be submitted with this form. Please make checks payable to City of Mullins. Mail to: **City of Mullins, 151 E Front St, PO Box 408, Mullins, SC 29574.**

SINGLE FAMILY PROPERTY

Registration Fee	\$250
Inspection Fee	\$50 – plus an additional \$0.01 per ft over 5,000 sq ft
Late Registration Fee	\$150 if registered later than date on notice letter

NON-SINGLE FAMILY PROPERTY

Registration Fee	\$750
Inspection Fee	\$50 – plus an additional \$0.01 per ft over 5,000 sq ft
Late Registration Fee	\$150 if registered more than 90 days of date on registration notice letter

Check here if you are interested in learning more about potential resources for low-income property owners or about selling your property.

SIGNATURE

The undersigned hereby attests to the above information as accurate. Any falsification may result in the denial or revocation of registration for a vacant building.

Signature of Owner or Registered Agent

Date

Signature of Property Manager (if applicable)

Date

Sec. 12-6. Standard of care for vacant property

(a) The standard of care, subject to approval by the Director, shall include, but is not limited to:

i. *Protective Treatment:* All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition, weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight.

ii. *Premises Identification:* The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm). All buildings shall display a vacant building identification placard as required by the Director.

iii. *Structure:* All structural members and foundation shall be maintained free from deterioration, and shall be capable of safely supporting the imposed loads.

iv. *Exterior Walls:* All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls shall be maintained weatherproof and properly surface coated where necessary to prevent deterioration.

v. *Roof and drainage:* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be maintained in good repair, free from obstructions and operational.

vi. *Decorative Features:* All cornices, belt courses, corbels, applications, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

vii. *Overhang Extensions and Awnings:* All overhang extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.

viii. *Stairways, decks, porches and balconies:* Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

ix. *Chimneys and Towers:* All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

x. *Handrails and Guards:* Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

xi. *Window, Skylight and Door:* Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which shall be

secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, and the same shall be removed within a period of time designated by the Director.

xii. *Basement Hatchways and Windows:* Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against entry of rodents.

(b) All repairs shall be subject to approval by the Director. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules. Historic properties and properties within designated Historic Districts are additionally subject to all applicable rules and regulations as codified in Section 35 of the Code.

(c) Failure to maintain the vacant property to the standard of care specified by the Department is a violation of this article.

Section 5.04.220 RENTAL PROPERTY REGISTRATION AND REGULATIONS

(A) Definitions.

The following terms shall have the meanings shown in this section. Where terms are not defined such terms shall have ordinarily accepted meaning such as the context implies.

Occupant means a family as defined by the City of Mullins Zoning Ordinance or one or more individuals. A family of related persons shall be counted as one occupant.

Offense means any violation of local, state, or federal statutes or ordinances which result in a forfeiture of bond; plea of guilty; plea of no contest; acceptance into pre-trial intervention, alcohol education program or a determination of guilt by a court or a jury. For purposes of this Section, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond; acceptance into a pre-trial intervention program; alcohol education program; conviction; or plea of guilty or no contest, collectively shall be deemed one offense.

Owner means any person, firm or corporation having a legal or equitable title in the property; or any record title holder.

Residential rental unit means that portion of a dwelling for which consideration is being given to an owner, agent, or manager for use or occupancy. Whenever the words "rental unit" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof."

Total occupancy means the total number of people allowed to be living under one roof (not to exceed ten people).

Violation means breach of law.

(B) License required.

No owner shall operate any residential rental unit unless that owner holds a current rental license issued by the City of Mullins for the residential rental unit named therein. Licenses are not transferable from any owner to another. The license year shall begin on January 1 and end on December 31. The required license fee may be paid beginning January 1 and must be renewed by April 15 each year. Renewals of licenses after April 15 will be assessed a late penalty fee of five percent of the unpaid fee per month. Each residential unit must have a separate license.

(C) Application.

Applications to operate a residential rental unit and for renewal shall be on a form provided by the City of Mullins. Such form shall set forth the owner's name, address, and telephone number; the residential rental unit address; and the name of the person, firm or corporation responsible for the care and maintenance of the building.

(D) Issuance or refusal of rental permit.

The City of Mullins shall issue a rental permit for rental housing to an applicant upon proof of the following:

- (1) The owner occupant and premises are in good standing with the City;
- (2) All fees have been paid as required by the Section; and
- (3) The residential rental unit is in compliance with the Section.

(E) Property owner and occupant.

- (A) The zoning and codes administrator shall be notified in writing if there is a change of owner.
- (B) The property owner and the occupants shall maintain their residential rental units in compliance with the City codes and in compliance with this Section.
- (C) The property owner and the occupants shall be liable for occupancy violations within their rental residences.

(F) Offenses.

An "offense" shall include a violation of any federal, state, or local ordinance. It shall also include a failure to meet the standard for residential rental units set forth in this Section.

(G) Revocation.

- (1) If any property has three violations within any year, the zoning and City administrator shall notify the owner of this fact.
 - (2) Upon conviction of the third violation in any calendar year, the zoning and City administrator shall revoke the license of the owner.
 - (3) Upon revocation of the license, the owner may no longer rent the premises for residential purposes.
 - (4) Upon receipt of notice of revocation, the owner may within ten days apply to City council for an appellate review of the decision to revoke the license.
 - (5) Upon receipt of any appeal of a revocation, City council shall hear the matter and render such decision as it deems proper under the circumstances. The property may continue to be rented during any appeal period.
 - (6) The decision of council on any appeal shall be final.
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- (7) When a license is revoked pursuant to this Section, it shall not be renewed or reissued to the owner except upon petition of the owner to City council and upon approval of City council.

(H) Change of ownership.

Any person, firm or corporation who has purchased or has a legally binding contract to purchase a property with a revoked rental housing permit may apply for a new permit.

(I) Offenses.

- (1) Any person violating any provision of this Section shall be deemed guilty of a misdemeanor and shall be subject to a fine of up to \$1,000.00 or imprisoned up to 30 days or both. Each day of violation shall be deemed a separate offense.
- (2) Prior to issuing a citation for violation of this section, the person to be charged must first be given notice of the violation and a 15-day abatement period in which to cure the violation.
- (3) Notice shall be sufficient when placed in the United States mail addressed to the owner of the property or to the occupant of the property at the property address.
- (4) Notice shall also be sufficient if made by personal service or delivery.
- (5) The 15-day abatement period shall begin on the date of mailing or personal delivery.

(J) License fee.

- (1) Effective January 1, 2021 the annual license fee shall be \$150.00 per dwelling. The fee will increase to \$250.00 per dwelling, effective January 1, 2022. All registration fees are due before April 15th of each calendar year and failure to register by the deadline will result in a penalty of \$500.00.
- (2) The annual license fee shall be waived for one year, for one dwelling if the owner lived in the dwelling as their primary residence prior to home being vacated and permitted as a rental home.
- (3) If the property owner has more than five rental units then he/she is required to obtain a business license from the City.

(K) Severability.

The provisions of this Section are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Section. It is hereby declared that the intent of the council is that this Section would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision has not been included herein.

(L) Standards for residential rental unit.

For purposes of this Section, the following standards apply to residential rental units and must be met prior [to] a permit being issued and at all times thereafter. City sponsored inspectors will have the authority to certify that rental properties meet the IPMC standards for both the interior and exterior of the dwelling. Any and all violations will be abated and corrected in the timeframe allotted. Failure to

correct the deficiencies will result in the loss of the rental permit until corrected. The standards that will apply to all rental properties will be in accordance with the 2021 Edition of the International Property Maintenance Code (IPMC). Violations will be handled as outlined in section 11-9 of this Section.

The landlord, owner, property management personnel are responsible for informing and providing these standards to their tenants.

- (1) *Trash cans and storage of solid waste.* Rollcarts will only be placed at the street on pickup days and are removed from the street each evening in accordance with City code.
- (2) *Environmental.* Weeds, undergrowth, trash, garbage, stagnant water, abandoned vehicles or other household items, and other matter deleterious to good health and public sanitation shall be removed.
- (3) *Doors and windows.* Individual dwelling units must have access directly to the outside or to a common corridor. Sleeping rooms must have at least one five-square foot operational window, or an exterior door that is operable from the inside. Exterior windows must be free of defects, capable of opening and closing, and have working locks.
- (4) *Roofs and gutters.* Roofs must cover the entire floor plan of the house. Any damage to the roof must be repaired within 90 days of incident; damaged roofs may be covered with tarp or other temporary device and such device may be maintained for not more than 90 days. Standard roofing materials are to be used for repair. Any gutters are to be firmly attached to the roof and appropriate sections are to be connected.
- (5) *Stairs, rails, porches, decks.* A handrail is required for four or more stairs. Guardrails are required on decks over 30 inches above grade. Porches and decks shall not have apparent structural damage or broken or missing rails or steps.
- (6) *Fences/walls.* Fences and walls must be maintained to builder standards and cannot lean, have parts missing, they also may not have parts that are loose or unstable, need paint or have cracks that need patching.
- (7) *Swimming pools/spas.* Swimming pools and spas shall be enclosed and include a self-closing and self-latching gate of 48 inches minimum height. Pools must be maintained with clean water (stagnation and/or fungus must be removed) or the pool must be drained.
- (8) *Evidence of infestation.* Premises shall appear free of rats, mice, roaches or other vermin.
- (9) *Parking spaces.* There shall be at least one all weathered surfaced parking space per vehicle. The parking surface material shall be concrete, asphalt or contained gravel surface, and no more than four vehicles will be permitted in the front area of the residence.
- (10) *Grass height.* Grass and weed height will not exceed eight inches when measured with the ruler on the ground. All lawns must be properly landscaped and maintained. Inspections for compliance will begin with normal rental renewals after January 1, 2023; inspections will include properties registering for the first time. Inspections will be performed by the zoning administrator or his/her designated representative.
- (11) *Vehicles.* Unlicensed and/or unregistered vehicles are not permitted to be parked in the front or side of any dwelling (includes parking areas, driveways and yards).
- (12) *Tree debris.* Fallen and/or broken limbs must be removed from the yard and placed at the curb, in the yard, not in the road or on public sidewalk for pickup by the trash collector (trash collector requirements regarding width and length must be adhered to).
- (13) *Leaves.* Must be bagged, placed at the curb, in the yard, not in the road or on public sidewalk, for pickup by trash collector.

- (14) *Garages.* Garage doors shall be maintained in a fully functional condition. They shall be maintained free of rot or other decay. Garage door glass shall be replaced if cracked or broken.
- (15) *Garages* shall be used only for the storage of vehicles or yard maintenance equipment. Provided, however, garages may be used for the storage of other items so long as the content of the garage is not visible from the street or from public view.
- (16) *Storm doors and windows.* Storm doors and windows shall be maintained in a fully functional condition. Broken or cracked glass shall be replaced and such items shall not be allowed to rust or to be inadequately affixed to the property.
- (17) *Siding.* Exterior siding shall be maintained so as to remain properly affixed to the structure in accord with accepted building standards. External siding shall not be allowed to rot, or decay and must be properly painted with no peeling paint.
- (18) *Boats and recreational vehicles.* Boats, recreational vehicles, motor homes, campers and travel trailers shall not be stored at any residential rental dwelling (exception is back yard). However, these vehicles can be parked on concrete driveway for not more than two days for cleaning, washing, loading, unloading or repairing. Recreational vehicles may not be parked in street for more than 24 hours (subject to safety conditions).
- (19) *Stumps.* Stumps from trees which have fallen or which have been cut shall be removed within 30 days from the time the tree falls or is cut.
- (20) *Parking.* Cars may not be parked in front or side yards except on paved areas designed for the parking of vehicles.
- (21) *Occupancy.* No more than one-family (defined as an individual; or persons related by blood or marriage living together; or group of individuals, not more than three unless related by blood or marriage in single housekeeping unit) may live in a rental home zoned for single-family residential. No more than ten people may live in any residential rental dwelling (exceptions may be granted by the City Administrator).
- (22) *Utilities.* Any occupied residential rental dwelling must at all times have water, sewer and electrical services connected to proper provider or shall be deemed unrentable. It shall be the responsibility of the property owner to ensure that each dwelling has sewer service, and the failure to do so will result in a fine no less than \$500.00 along with the requirement to clean up all illicit discharges and hold harmless the City of Mullins in any health or pollution issues.

Sec. 15.40 - Standard of care for vacant property

(a) The standard of care, subject to approval by the Director, shall include, but is not limited to:

- i. *Protective Treatment:* All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences, shall be maintained in good condition, weather tight and in such condition so as to prevent the entry of rodents and other pests. All exposed wood or metal surfaces subject to rust or corrosion, other than decay resistant woods or surfaces designed for stabilization by oxidation shall be protected from the elements and against decay or rust by periodic application of weather coating materials such as paint or similar surface treatment. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. All siding, cladding and masonry joints, as well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather resistant and water tight.
- ii. *Premises Identification:* The property shall have address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102mm) high with a minimum stroke width of 0.5 inch (12.7mm). All buildings shall display a vacant building identification placard as required by the Director.
- iii. *Structure:* All structural members and foundation shall be maintained free from deterioration, and shall be capable of safely supporting the imposed loads.
- iv. *Exterior Walls:* All exterior walls shall be kept in good condition and shall be free from holes, breaks, and loose or rotting materials. Exterior walls shall be maintained weatherproof and properly surface coated where necessary to prevent deterioration.
- v. *Roof and drainage:* The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent accumulation, dampness or deterioration. Roof drains, gutters and downspouts shall be maintained in good repair, free from obstructions and operational.
- vi. *Decorative Features:* All cornices, belt courses, corbels, applications, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- vii. *Overhang Extensions and Awnings:* All overhang extensions including, but not limited to canopies, marquees, signs, awnings, and fire escapes shall be maintained in good repair and be properly anchored and supported as to be kept in a sound and safe condition.
- viii. *Stairways, decks, porches and balconies:* Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.
- ix. *Chimneys and Towers:* All chimneys, cooling towers, smoke stacks and similar appurtenances shall be maintained structurally safe and sound, and in good repair.
- x. *Handrails and Guards:* Every exterior handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.
- xi. *Window, Skylight and Door:* Every window, storefront, skylight and exterior door part, including but not limited to the frame, the trim, window screens and hardware shall be kept in sound condition and good repair. All broken or missing windows shall be replaced with glass and secured in a manner so as to prevent unauthorized entry. All broken or missing doors shall be replaced with new doors which

shall be secured to prevent unauthorized entry. All glass shall be maintained in sound condition and good repair. All exterior doors, door assemblies and hardware shall be maintained in good condition and secured. Locks at all exterior doors, exterior attic access, windows, or exterior hatchways shall tightly secure the opening. Windows and doors shall not be secured by plywood or other similar means mounted on the exterior except as a temporary securing measure, and the same shall be removed within a period of time designated by the Director.

xii. *Basement Hatchways and Windows:* Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against entry of rodents.

(b) All repairs shall be subject to approval by the Building Official. All required permits and final inspections prior to and/or following repairs shall be in accordance with applicable laws and rules. Historic properties and properties within designated Historic Districts are additionally subject to all applicable rules and regulations as codified in Section 15.32.650 of the Ordinance.

(c) Failure to maintain the vacant property to the standard of care specified by the Department is a violation of this section.

Chapter 5.32. - SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL RENTAL HOUSING REGISTRATION

(a) Sec. 5.32.010. - Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the meanings shown in this section. Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meaning such as the context implies.

Citation means a charge or formal written accusation of violation of a municipal, state or federal law, regulation or ordinance, including any violations of the International Property Maintenance Code, as adopted by the City of Mullins.

Dwelling unit means a building or portion thereof, designed for occupancy for residential purposes and having individual cooking facilities and sanitary facilities for each leased space.

Landlord means any person who owns or controls a dwelling, dwelling unit, or rental unit and rents such unit, either personally or through a designated agent, to any person.

Occupant means a family as defined by the City of Mullins Unified Development Ordinance, or an individual unrelated by blood to a second degree of consanguinity, marriage, adoption, or guardianship to any other occupant of the dwelling unit. A family of related persons shall be counted as one occupant.

Occupancy violation means a violation of the permitted number of persons that may occupy a single-family or multi-family residential unit as defined by the City of Mullins Unified Development Ordinance.

Offense means any violation of local, state, or federal statutes or ordinances which results in a forfeiture of bond, plea of guilty, no contest, acceptance into pre-trial intervention, alcohol education program or a determination of guilt by a court or a jury. For purposes of this chapter, all violations for which charges are made during one response by law enforcement officers which result in a forfeiture of bond, acceptance into a pre-trial intervention program, alcohol education program, conviction, or a plea of guilty or no contest collectively shall be deemed one offense.

Owner means any person, firm, corporation, or legal entity having a legal or equitable title in the property; or recorded in the official records of the state, county or municipality as holding title.

Owner-occupied rental unit means a rental unit that is occupied in whole or in part at the subject property by an individual or individuals whose name(s) appears on the deed for the property on which the rental unit is located provided said individual(s) has designated the subject property as his/her legal voting address and the address of his/her driver's license.

Person means any natural individual, firm, partnership, association, joint stock company, joint venture, public or private corporation or receiver, executor, personal representative, trust, trustee, conservator or other representative appointed by order of any court.

Premises means a lot, plot or parcel of land, including the buildings or structures thereon, which also includes dwelling units and dwellings.

Professional management company means any company, corporation, or legal entity identified as the responsible representative for any residential unit(s) licensed by South Carolina Department of Labor, Licensing and Regulation as a real estate broker or property manager and holding the appropriate current City of Mullins Business License.

Professional property manager means any person identified as the responsible representative for any residential rental unit(s), holding the appropriate permit and current City of Mullins Business License, if required.

Residential rental unit means that portion of a dwelling or building for which payment or other consideration, including performance of general maintenance, payment of utilities or other fees, or similar in-kind services, is being made to an owner, agent, or manager for the use and occupancy of that portion as a living facility. For purposes of this chapter, the term "rental unit" may be a single-family detached dwelling unit(s), single-family attached dwelling unit(s), duplex, townhouse, and multi-unit structures used for residential purposes. Whenever the words "rental unit" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof". Exceptions shall be the following:

- (1) Dwellings occupied for residency for over one hundred twenty (120) days by employees of that organization which are owned by a firm, corporation, religious organization or another incorporated organization;
- (2) Dwellings occupied by individuals who are under a written, recorded contract to purchase the residence in which a significant portion of the rent applies to the purchase price;
- (3) Dwellings owned and operated by the United States of America, the State of South Carolina, or any agency thereof;
- (4) Owner-occupied rental dwellings, including, but not limited to duplexes, over and under duplexes, and accessory dwelling units, that are consistent with the City of Mullins Unified Development Ordinance.

Responsible representative means a person, professional property manager, or professional management company designated by the property owner as the agent available for service and responsible for operating such property in compliance with the ordinances adopted by the city. For the purposes of this chapter, the term "agent" shall refer to the responsible representative. The representative must be willing to assume the duties and responsibilities of an owner, specifically in an emergency or urgent situation even if the owner cannot be contacted by the responsible representative.

Short-term residential rental means a furnished residential unit that is rented by the property owner for financial gain for a period of no more than twenty-nine (29) consecutive days and not to exceed seventy-two (72) days in the aggregate during any calendar year, as defined and regulated within the Unified Development Ordinance of the City of Mullins.

Tenant means any individual who has the temporary use and occupation of real property owned by another person in subordination to that other person's title and with that other person's consent; for example, a person who rents or leases a dwelling, dwelling unit, or rental unit from a landlord.

Townhome means three (3) or more attached dwelling units that are arranged in rows with common side walls.

Violation means breach of law, except, for the purposes of this section, any laws related to S.C. Code ch. 25 of tit. 16, and any code and/or ordinance related to the condition of and/or occupancy of premises, including, but not limited to, the City of Mullins Codes and Ordinances, the Fair Housing Act, the International Property Maintenance Code (IPMC), and the South Carolina Residential Landlord and Tenant Act.

(b) Sec. 5.32.020. - Rental permit required.

- (1) All property owners, whether a person, firm, corporation, or other form of legal entity, that operates residential rental unit(s), as defined in section 5.32.010, shall be required to obtain a rental permit with the City of Mullins.
- (2) A rental permit for an individual residential rental unit will not be issued until the owner and/or responsible representative certifies, after personal inspection and to the best of the person's knowledge, that the unit complies with the applicable codes, or until the unit passes the voluntary inspection requested of the City of Mullins.

- (3) Permits issued under this chapter are non-transferable. In the event of the sale or other transfer of the residential rental unit covered by the permit, the successor must obtain the permit required by this chapter before commencing business or operations.
- (4) A rental permit is required for each residential rental unit that a property owner rents or responsible representative manages on behalf of a property owner. The city shall, per written policy, allow certain residential rental units with the same address or tax map designation be grouped under an individual or single permit.
- (5) Renewals of rental permits after sixty (60) days of the expiration date will be assessed a late penalty fee of ten dollars (\$10.00) per month, for the initial and all subsequent months.
- (6) If the permit fee is not paid after one hundred twenty (120) days following the expiration of the permit and the property is occupied as a rental unit, the City of Mullins shall then issue a uniform ordinance summons to the property owner and/or the responsible representative for appearance in municipal court charging the owner with a violation of this chapter as provided in section 5.04.110, and the property owner and representative are subject to revocation of business license as outlined within Sec.5.04.150 of the City of Mullins Code of Ordinances.

(c) **Sec. 5.32.030. - Business license required.**

- (1) No owner or responsible representative, whether a person, firm, or corporation, shall operate a residential rental unit within the municipal limits of the City of Mullins without obtaining a business license as required by the City of Mullins Code of Ordinances.
- (2) Before a business license can be issued, the owner must first obtain a rental permit as outlined within section 5.04.150 in this chapter.
- (3) The business license requirement shall not apply, if:
- (4) The owner or responsible representative has less than five (5) residential rental units that are owned or managed by an individual and not by a business, corporation, or limited liability partnership or other like legal entity.
- (5) This exemption does not apply to short-term rental properties as defined in this chapter and outlined within the Unified Development Ordinance.

(d) **Sec. 5.32.040. - Application.**

Applications for a permit to operate a residential rental unit(s), and for renewal thereof, shall be on a form provided by the City of Mullins. Such form shall set forth the owner's name, address, e-mail, and telephone number, the residential rental unit(s), and additional information as outlined on the application for rental housing. If the owner uses a responsible representative, the same contact information shall be provided for the responsible representative.

(e) **Sec. 5.32.050. - Issuance or refusal of rental permit.**

The City of Mullins shall issue a rental permit for rental housing to the applicant upon proof of the following:

- (1) The property has passed the rental housing inspection conducted by the City of Mullins at the owners or responsible representatives request, or the owner or responsible representative has submitted written certification that the subject property complies with all applicable codes and ordinances of the City of Mullins on the certification form provided by the city;
- (2) All fees have been paid as required by section 5.05.040 of this chapter.
- (3) Per section 5.04.050 of this chapter, the issuance of a rental permit does not negate the requirement of a business license. Please see section 5.04.010 for further clarification.

(f) Sec. 5.32.060. - Property owner, responsible local representative, and occupant.

- (1) It is the sole responsibility of the property owner to maintain current contact information. If the property owner fails to notify the city of a change in personal contact information or a change of responsible representative, it shall be considered failing to meet the rental housing ordinance and is subject to revocation of the rental permit and business license.
- (2) The property owner, responsible representative, and/or occupants shall be responsible for occupancy violations within rental residences under their control or in which they are located.
- (3) For every residential rental unit, the owner and/or responsible representative shall be responsible for responding to emergency needs. The property owner and/or the responsible representative shall make reasonable efforts to hire a licensed contractor or provide the services to correct the emergency.
- (4) Any and all occupancy violations, maintenance, repair, replacement, damages and/or expenses which occur to the structure and property shall be the responsibility of the property owner and/or responsible representative of the residential rental unit(s).
- (5) The owner or responsible representative shall provide each tenant the names, addresses, e-mails, and telephone numbers of such owner and/or responsible representative.

(g) Sec. 5.32.070. - Violations.

- (1) It shall be unlawful for a person, firm or corporation to be in conflict with, or in violation of, any of the provisions of this chapter. Violation(s) shall include any citation, offense, and/or adjudication of guilt, finding of guilt with adjudication withheld, waiver of right to contest the violation, or pleas of no contest (including, but not limited to, payment of fine) for any violation of any code and/or ordinance related to the condition of and/or occupancy of premises, including, but not limited to, the City of Mullins Codes and Ordinances, the Fair Housing Act, the International Property Maintenance Code (IPMC), and the South Carolina Residential Landlord and Tenant Act.
- (2) In the event of a violation, the License official, or designee, shall serve a notice of violation in accordance with section 5.32. of this chapter.
- (3) Any person failing to comply with a notice of violation or order served in accordance with this chapter shall be deemed guilty of a misdemeanor or civil infraction as determined by the City of Mullins, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the building official, or its designee, may institute the appropriate proceeding at law or in equity to restrain, correct, or abate such violation or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this Code or of the order or direction made pursuant thereto. Any action taken by the City of Mullins shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.
- (4) Any person who shall violate a provision of this Code, or fail to comply therewith, or with any of the requirements thereof, may be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.
- (5) The imposition of the penalties herein prescribed shall not preclude the City of Mullins from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure, or premises.
- (6) Residential rental units where repeated criminal activity by a tenant, household member, guest, or other person under tenant's control, including criminal activity that threatens the health, safety or right to peaceful enjoyment of the residential unit including any drug-related criminal activity will be considered a violation. In order for this to constitute a violation, the City of Mullins shall notify the owner or responsible representative of the repeated criminal activity and provide incident reports, criminal records and other appropriate information. The owner and/or responsible representative shall be given service of such

information as outlined in section 5.32.080 of this section. The owner or responsible representative shall notify the City of Mullins Building Official, or its designee, if they disagree that the violation rises to the level required to evict the tenant or if there are alternative remedies such as only evicting the individual(s) engaged in such criminal activity and not the entire household. In the event the City of Mullins and owner or responsible representative cannot reach an agreement as to how to proceed, a violation shall be assigned to the rental permit for that unit. Should the owner and/or responsible representative disagree with the assignment of a violation, the appeal procedure contained in section 5.32.100 of this chapter shall be followed.

(h) Sec. 5.32.080. - Notice and method of service.

- (1) Any notice called for in this chapter shall be in accordance with section 107.2 of the IPMC, which provides as follows:
 - Be in writing.
 - Include a description of the real estate sufficient for identification.
 - Include a statement of the violation or violations and why the notice is being issued.
 - Include a correction order allowing a reasonable time to make repairs and improvements required to bring the unit into compliance.
 - Inform the property owner or responsible representative of the right to appeal.
- (2) Method of service of any notice shall be in accordance with section 107.3 of the IPMC, which provides as follows:
 - Delivered personally; or
 - Sent by certified or first-class mail addressed to the last known address; or
 - If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

(i) Sec. 5.32.090. - Revocation of rental permit.

In the event an owner and/or responsible representative fails to correct a violation after notice, the License official, or its designee, may refer the matter to the city manager with a recommendation that the rental permit be revoked. If the city manager approves the revocation, a notice of revocation will be served to the owner and/or responsible representative, pursuant to section 5.32.080.

(j) Sec. 5.32.100. - Appeal.

- (1) Any person directly affected by a decision or notice of the license department issued under this chapter shall have the right to appeal to the construction maintenance board of adjustment and appeals, provided that a written application for appeal is filed within twenty (20) days after the day the decision, notice, or order was served. An application for appeal shall be based on a claim that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this Code do not fully apply, or the requirements of this Code are adequately satisfied by other means.
- (2) The membership, term of members, quorum, appeal procedure, and decisions of the construction maintenance board of adjustment and appeals shall be in accordance with chapter 4, chapter 2 of the City of Mullins Code of Ordinances.
- (3) The city manager, or its designee shall provide notice of the final decision within five (5) days of the date of the decision.

- (4) The final decision of the city is subject to certiorari review in a court of competent jurisdiction in Mullins County, South Carolina.

(k) Sec. 5.32.110. - Effect of revocation.

- (1) Upon the commencement of revocation of the rental permit for a residential rental unit, no permit shall be granted to another responsible representative or owner for the operation of that residential rental unit(s) until all citations and/or notice of violations are remedied. Any residential tenants under a lease in existence at the time of the commencement of revocation shall have all rights afforded to them under applicable local, state, and federal law.
- (2) If the permit is revoked under these procedures, the owner or responsible representative shall have fourteen (14) days from the date of the final decision to commence recovering possession of the rental unit. If the tenant(s) do not voluntarily agree to vacate the premises, the owner or agent shall diligently pursue the process of eviction to completion. The owner or agent shall provide copies of all documents provided to the tenants or filed with the court concerning the eviction process to the city manager, or its designee. If the owner collects any rent from the tenants following permit revocation, fails to comply with these provisions, or fails to abide with the final decision of the city, the city may seek criminal relief by citing the owner for violation of Title 5.32 or seek other available legal or equitable relief.
- In addition to the above-described procedures, the city attorney is authorized to file for injunctive relief to abate the public nuisance at common law or noxious use of private property pursuant to law.
 - Subject to conditions, the City of Mullins may take further action which may result in the discontinuance of use of the water meter, revocation of the business license and ability to operate the residential rental unit(s), and any other action the City of Mullins deems appropriate.

(l) Sec. 5.32.110. - Notification exemption.

Residential rental properties are exempt from the notification requirements, as given in the codes, when they have not obtained a valid permit for rental housing as required by this chapter. Properties operating without a valid rental permit and business license shall receive one written warning and twenty (20) working days to comply. If an owner is convicted of a violation of Chapter 5.32 of the City of Mullins Code of Ordinances, the property shall not be eligible for a rental housing permit for a period of three (3) months after the conviction. The property owner and/or agent that operates without a business license is subject to violations and penalties outlined within section 5.32 of the City of Mullins Code of Ordinances. However, a subsequent purchaser who properly obtains a permit and otherwise complies with this chapter may obtain a permit.

(m) Sec. 5.32.120. - Operating without a permit a public nuisance.

If a person operates as a landlord without a rental permit or business license (when applicable) as set forth in this section, such shall constitute a public nuisance and be in violation of this chapter.

(n) Sec. 5.32.130. - Complaints and inspections.

- (1) Complaints: Each complainant shall be requested to state his/her name and addresses and give a statement of the facts giving rise to the complainant's belief that the provisions of this chapter are being violated. Such information may be obtained orally or in writing. A complainant may be subpoenaed to appear in a revocation or denial proceeding to provide evidence or testimony.

- (2) Inspections: By applying for a permit, the owner agrees to allow inspection of the unit for violations of this chapter, as well as violations of the International Property Maintenance Code at any reasonable time; however, this provision shall not be interpreted as authorizing the city to conduct an inspection of an occupied rental unit without obtaining either the consent of an occupant or a warrant.

(o) Sec. 5.32.140. - Criminal penalties.

Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in the City of Mullins Code of Ordinances. Each day of violation may be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties, and costs provided for in this chapter.

(p) Sec. 5.32.150. - Denial of permit and appeal.

- (1) The building official, or its designee, may deny issuance of any permit applied for under this section if it is determined that either the owner or agent has made material misrepresentations about the condition of his/her property or status of ownership, or that the occupancy of the property is in violation of any city ordinances, or that the owner has otherwise violated a provision of this chapter.
- (2) If the building official, or its designee, determines there is reasonable cause to believe that there are grounds to deny a permit, the administrator or designee shall provide notice of the denial, including the grounds for the denial based upon findings of fact.
- (3) The owner or responsible representative may appeal this denial pursuant to section 5.32.100 of this chapter.
- (4) The planning director, or designee, may deny issuance of any permit applied for under this section if it is determined that the property is not in compliance with City of Mullins zoning regulations. Such permit denials however shall not be subject to the appeals procedure outlined in this section. Upon an owner's request to appeal the administrator's decision to deny a permit due to noncompliance, the appeal shall be made to the board of zoning appeals in accordance with the procedure set forth in sections 6-20.2.3 and 6-22.1.1 of the Unified Development Ordinance.
- (5) The final decision of the city is subject to certiorari review in a court of competent jurisdiction in Mullins County, South Carolina.
- (6) If a permit is denied under this section, the owner shall not be issued a permit for the subject residential rental unit(s) or property(s) until remediation of the identified violation(s) is provided to the City of Mullins.

(q) Sec. 5.32.160. - Rental permit fee and annual permit fee.

- (1) The rental permit fee shall be twenty-five dollars (\$25.00) per application, upon approval.
- (2) The annual permit fee for the owner and/or responsible representative is twenty-five dollars (\$25.00) regardless of the point in the year that a permit is obtained. The permitting year runs from April 1 to March 31 of the following year. All rental permits expire on March 31 each year. No registration fees are to be prorated or refunded.
- (3) Upon determination that a rental property owner has failed to obtain a rental housing permit, an administrative fine shall be assessed at four hundred dollars (\$400.00) each year the unpermitted occupancy has occurred for each residential rental unit.
- (4) An inspection fee of twenty-five dollars (\$25.00) shall be included in the permit fee for properties that fail to pass inspection after the second inspection.
- (5) All required fines shall be paid before a permit is issued, including any past due fines assessed for work abated by the city.

(6) After the first year of permitting the annual permit fee is not required, if:

- The applicant is a professional management company or professional property manager applying on behalf of an owner as a responsible party; or
- The applicant is licensed by the City of Mullins through the business license office to conduct the business of being a landlord; and
- The applicant is in good standing per this chapter.

(r) Sec. 5.32.170. - Release of liability of responsible representative.

In the event the responsible representative has exercised due diligence in performance of its responsibilities under this chapter but the property owner is not cooperating, the responsible representative may resign as the responsible representative of said owner and provide notice to the owner and City of Mullins. The notice of resignation must confirm the current contact information of the owner. The responsible representative should consequently not have any violations assigned to the properties he or she represents. The responsible representative shall be precluded from representing said owner for a period of six (6) months. The City of Mullins shall recognize this action and find the responsible representative was diligent and took reasonable steps to perform its duties under this chapter.

(s) Sec. 5.32.180. - Severability.

The provisions of this chapter are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this chapter. It is hereby declared that the intent of the council is that this chapter would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

(t) Sec. 5.32.190. - Existing rights unaffected.

Nothing contained in this chapter is intended to affect the rights and responsibilities of property owners or tenants under the laws of the United States of America or the State of South Carolina as outlined by the South Carolina Landlord Tenant Act, the Americans with Disabilities Act, the Violence Against Women Act, the Fair Housing Act or any other provision of federal or state law regulating housing.

(u) Sec. 4-920. - Effective date.

The provisions of this section shall become effective April 1, 2023.



1001 N. Main St.
Mullins, SC 29574
843-464-7895 or 843-245-0739
kingscourtcare@gmail.com

April 9, 2024

Dear Donors and Supporters of King's Court,

Subject: A Grateful Farewell to King's Court Homeless Shelter

It is with mixed emotions that we pen this letter to you, our cherished supporters and donors of King's Court. For the past ten years, your unwavering commitment and generosity have been the bedrock of our mission to serve the homeless community throughout Marion County. Your compassion and dedication have touched countless lives and brought hope to those in desperate need.

After much prayerful consideration and extensive consultation with our advisory board, we have made the difficult decision to close the doors of King's Court Homeless Shelter. This decision was not taken lightly, but rather with the utmost concern for the well-being and sustainability of our organization.

While the closure of the shelter marks the end of an era, we want to assure you that King's Court will continue to fulfill its broader mission of serving those in need within our community. We remain steadfast in our commitment to providing essential services and support to vulnerable individuals and families.

Despite the closure of the shelter, our afterschool program will continue to provide invaluable childcare services to families in need. Additionally, we remain dedicated to connecting individuals with vital resources such as food pantries, hot meals, job opportunities, assistance with securing legal documents, and support in finding permanent housing.

We must also share with you the challenging news that Martin's Motel, a longstanding financial supporter of King's Court Homeless Shelter, is no longer able to continue its contributions. As a result, we have been compelled to make this difficult decision regarding the shelter's future.

The shelter's doors will close for the final time on April 12, 2024. We have worked diligently and successfully assisted residents of the shelter with relocation. While this marks the end of one chapter, it also signifies the beginning of a new phase in our mission. We are profoundly grateful for your past support and trust in our work, and we humbly ask for your continued partnership as we navigate this transition.

In the face of adversity, the spirit of community and compassion that defines King's Court remains strong. Together, we will continue to make a meaningful difference in the lives of those we serve.

With deepest gratitude,

Venolia Jordan
Executive Director
King's Court