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CHAPTER 10. HEALTH AND SANITATION

Editor's Note: Health matters in The Town of Yemassee are subject to supervision of the Beaufort/Hampton County Health Department. This chapter derives from Chapter 8 of the 1990 Yemassee Town Code and generally accepted municipal practices.

ARTICLE I. IN GENERAL

10.101. BEAUFORT/HAMPTON COUNTY REFERRAL.

Health matters, generally, shall be referred to the Beaufort/Hampton County Health Departments.

(YQ 53)

10.102. FOOD HANDLING ESTABLISHMENTS.

All food handling establishments shall adhere to the State and County Health Department rules and regulations.

10.103. ODORS. UNWHOLESOME. OFFENSIVE. UNLAWFUL.

a. No person shall erect or maintain any place of business dangerous to life or detrimental to health or where unwholesome, offensive or deleterious gas, smoke, deposits or exhalations are generated, without approval from the Board of Health.

b. All such establishments shall be kept clean and wholesome so as not to be offensive or prejudicial to public health.

c. No offensive or deleterious waste substance, water-gas tar, sludge, refuse or injurious matter shall be allowed to accumulate upon the premises thereof or be thrown or allowed to run into any public water, stream, watercourse or onto any street or public place.

10.104. DEBRIS REMOVAL.

a. It shall be the duty of persons creating debris on property, either in the form of shrubbery, tree limbs, grass cuttings, weeds or similar debris, to remove the same.

b. Anyone providing services to residents or businesses in the town, such as roofers, building contractors, pulpwood dealers, etc., upon completing such services, shall remove any debris created thereby.

10.105. PUTRESCIBLE MATTER NOT TO BE AS USED AS FILL.

It shall be unlawful to fill sunken places with any material containing a mixture of putrescible animal or vegetable matter.

10.106. REMOVAL OF ACCUMULATIONS OF DELETERIOUS MATTER.

All accumulations or deposits of deleterious matter shall be removed from drains, ditches, etc., where accumulated, and the area shall be properly disinfected within twenty-four (24) hours.

10.107. GARBAGE COLLECTION FEES.

- a. A fee shall be charged each residence and business for the collection of solid waste.
- b. The said fee shall be collected with the water bill.
- c. Anyone not paying a water bill shall pay the garbage collection fee to receive garbage collection service.
- d. Such fees shall be as set forth in the *Schedule of Rates and Fees* as shown on Exhibit 1 of this code.

ARTICLE II. VACANT LOTS, PREMISES, LAND

Editor's Note. This authority derives from SC Code §5-7-80.

10.201. ACCUMULATIONS. PROHIBITED.

It shall be unlawful for any person, firm or corporation to maintain or to permit to be maintained any vacant lots, improved or unimproved premises, or land, upon which grass, weeds, undergrowth, trash, garbage, offal, stagnant water, building materials, glass, wood, junk or other matter deleterious to good health and public sanitation which is permitted or caused to accumulate in any manner which is or may become a nuisance causing injury to the health or welfare of the residents or the public in the vicinity or causing injury to neighboring property.

10.202. SAME. SUMMONS FOR FAILURE TO MAINTAIN LOTS.

The Mayor is hereby authorized to summon the owner of such premises. If, after fully hearing the matter and any statement the owner may make and any testimony he may offer on his behalf concerning such matter, the Mayor should find such premises or lot in a condition tending to injure the public health, he shall issue a written order or notice directed to the owner, directing and requiring him within a reasonable and specified time to clear such premises or lot in order to abate such nuisance.

10.203. SAME. HOW SUMMONS GIVEN.

The notice shall be served on the owner to whom it is directed or by Certified Mail, Return Receipt Requested, addressed to such owner at his last known post office address. In the event personal service cannot be made and the owner's address is unknown, such notice shall be given by publication at least two (2) times within fifteen (15) consecutive days in a local newspaper of general circulation.

10.204. SAME. FAILURE TO CLEAN DECLARED A MISDEMEANOR. PENALTY.

a. Any person, firm or corporation who shall fail to comply with an order to remove said property shall be served an Ordinance Summons to appear before the Municipal Judge, as provided in §14.101 of this code.

b. Upon conviction, any person, firm or corporation shall be guilty of a misdemeanor and subject to such fine as may be imposed by the Municipal Judge.

ARTICLE III. GARBAGE AND SOLID WASTE

Editor's Note. On January 9, 1992, The Town of Yemassee entered into a formal agreement with CDS, INC., a South Carolina Corporation (contractor) with its principal place of business at Goose Creek, South Carolina. The agreement is currently in effect.

The agreement provided for services to be rendered by the contractor to Yemassee's residential and business properties. The contractor agreed to "...provide for the collection (and disposal) service of garbage, refuse and bulky waste..." The contractor would not, however, be "...required to collect hazardous waste...(or)...construction debris..."

The agreement did provide for the method to be used in the collection and removal of those items to be collected and removed. It also included liability, permits, licenses, notices, compensation and adjustments thereto, collection equipment, personnel, notification of residents, missed collections, holidays, complaints and insurance.

Due to the legalities set forth in the agreement and its length, and since the contractor is held liable for both the collection and disposal of garbage, refuse and solid waste, the agreement is not reproduced in this code. The reader is, therefore, referred to the Town Clerk for further information.

In view of the agreement, the provisions of Chapter 8, Article II, of the 1990 Yemassee Code of Ordinances are not longer valid and are not incorporated into this code.

10.301. AGREEMENT WITH CDS, INC. NOT RESCINDED.

The Agreement between The Town of Yemassee and CDS, INC., entered into on January 9, 1992, shall not be rescinded by this code, and the provisions thereof shall remain in effect until amended by the Mayor and Council.

ARTICLE IV. TOILET FACILITIES

10.401. PIT PRIVY DEFINED. DECLARED UNLAWFUL.

a. The term "pit privy" as used in this article shall mean a building used for affording privacy while in the act of urination or defecation.

b. Pursuant to the 1976 South Carolina Code of Laws, §44-55-210, it shall be unlawful for any property owner to construct, erect, install, maintain or permit to remain any pit privy on any property within the corporate limits.

(YQ 55)

10.402. DISPOSAL OF HUMAN EXCREMENT.

It shall be unlawful for any person, firm or corporation to deposit or throw upon the ground or bury any human excrement, solid or liquid, or to otherwise dispose of such substances in any manner other than into a sanitary septic tank constructed in accordance with DHEC requirements.

10.403. BUILDING CONTRACTS TO PROVIDE FOR WASTE DISPOSAL.

a. All building contracts for the erection of structures anticipated for human occupancy shall provide for adequate and sanitary waste disposal.

b. The contract shall provide for such facilities, the plans shall state the proposed method of disposal and the Town Clerk shall be notified.

ARTICLE V. PENALTIES

10.501. PENALTY.

a. Any person, persons, firm, company, representative of any firm or company and otherwise violating the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor.

b. Each day during which a violation of the provisions of this chapter occurs, or each separate instance, shall be considered a separate offense punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both.

(1976 SC Code §14-25-65)