



ORDINANCE NUMBER 22 - 2014

AN ORDINANCE TO AMEND THE CITY OF GREER CODE OF ORDINANCE CHAPTER 14 BUILDINGS AND BUILDING REGULATIONS, ARTICLE II TECHNICAL CODES TO ADD SECTION 14-42 PROVIDING FOR THE RECOVERY OF ADMINISTRATIVE AND LEGAL FEES AND COSTS IN THE ENFORCEMENT OF ALL LIENS IMPOSED AGAINST REAL PROPERTY

WHEREAS, Section 14-41 of the City of Greer Code of Ordinance adopts by reference the International Property Maintenance Code; and,

WHEREAS, the International Property Maintenance Code is a model code that regulates the minimum maintenance requirements for property; and,

WHEREAS, International Property Maintenance Code § 106.3 (1976) provides the authority for the City, after proper notice is provided to the property owner, to go upon property to correct or abate violations that the property owners fails to address. Section 106.3 further provides that the City may file a lien upon the real property for its costs to abate or correct the violations. South Carolina Code §5-7-80 further provides that said lien shall be collectable in the same manner as municipal taxes; and,

WHEREAS, the City necessarily incurs administrative and legal fees and costs in filing and enforcing liens against real property; and

WHEREAS, the City of Greer has determined that an Ordinance should be adopted that provides the City the authority to include administrative and legal fees and costs as part of the lien filed upon the real property; and,

NOW THEREFORE, be it ordained by the Mayor and the Council of the City of Greer, that:

The City of Greer Code of Ordinance be amended to include the following provision:

“Section 14-42: In the event the City incurs costs for repairs, demolition, alterations, or improvements, including, but not limited to, cutting overgrown grass and cleaning up debris, and vacating and closing or removal or demolition by the Codes Administrator, the City shall be entitled to file a lien against the real property against which such cost was incurred and shall be collected in the same manner as county taxes are collected. Notwithstanding any provisions herein, as well as the technical codes adopted herein as is set forth fully, the City shall be entitled

to collect any administrative fees and costs and reasonable attorney's fees and costs incurred in the enforcement of said liens against the real property".

This Ordinance shall become effective immediately upon second reading approval thereof.

CITY OF GREER, SOUTH CAROLINA


Richard W. Danner, Mayor

Attest:



Tammela Duncan, Municipal Clerk

Introduced By: Councilman Wayne Griffin

First Reading: September 9, 2014

Second and
Final Reading: September 23, 2014

Approved as to Form:


John B. Duggan, City Attorney