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ORDINANCE NO.: 2020-077

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article VIII, Rental Housing Regulations, Sec. 5-330 Violations and assignment of violations (d)(1)(d)

BE IT ORDAINED by the Mayor and Council this 27th day of August, 2020, that the 1979 Code of Ordinances of The City of Columbia, South Carolina, Chapter 5, Buildings and Building Regulations, Article VIII, Rental Housing Regulations, Sec. 5-330 Violations and assignment of violations (d)(1)(d) is amended to read as follows:

Sec. 5-330. Violations and assignment of violations.

(a) For purposes of this section, violations shall include citations for any federal, state, or local ordinance.

(b) Violations; warnings; points. Rental units where there are citations, warnings of violation 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) of the following city ordinances:

- (1) Nuisance ordinances (Chapter 8);
- (2) Animal control ordinances (Chapter 4);
- (3) Solid waste ordinances (Chapter 19)
- (4) Zoning ordinances (Chapter 17);
- (5) International Property Maintenance Code (section 5-151);
- (6) Law enforcement (Chapter 10); or
- (7) Licenses, permits and miscellaneous business regulations (Chapter 11).

(c) Violations shall apply as points towards revocation of the rental permit for residential rental units as follows:

- (1) Single-household dwellings and townhouses. Violations that occur anywhere on the premises shall apply to the permitted dwelling unit.
- (2) Multi-unit structures.
 - a. Violations that occur within an individual unit shall apply to that unit.
 - b. Violations occurring outside of the units shall be assigned to the unit responsible as determined by the investigating party for the offense.
 - c. Violations committed by the property owner and/or responsible local representative shall be assigned to all units.

(d) In the event a citation or violation takes place at a unit regulated by this article, such citation shall be grounds for the accumulation of points as follows:

- (1) For one or more written warnings given in any 24-hour period for violation of one or more of the ordinances listed above, points will be assessed on the landlord permit for that unit in accordance with this section:
 - a. First offense. One point will be assessed for the first occurrence of citation, violation or offense.
 - b. Second offense. Two points will be assessed for a second occurrence of the same citation, violation or offense within the same permit year.
 - c. Third offense or each offense thereafter. Five points will be assessed for a third occurrence and each occurrence thereafter of the same citation, violation or offense within the same permit year.
 - d. Serious offense. Ten points will be assessed for any serious violation or offense that could result in serious bodily injury or death to occupants as determined by the chief of police. A serious offense includes failure to comply with any Emergency Order issued by the City of Columbia, any Executive Order issued by the Governor of the State of South Carolina, or any local, state or federal law, regulation or mandate to address a health or safety concern including but not limited to a public health outbreak (including a pandemic or wide-spread and /or infectious disease

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outbreak), natural disasters, war, terrorist act, strike, fire, release of nuclear material or dangerous substance into the environment or other catastrophic event.

(2) After points are assessed on a landlord permit for a unit, the police chief or designee will send a written warning to the owner or agent. Each warning will specify which ordinance or ordinances have been violated and will state that further warnings or violations could lead to a revocation of the permit. Each warning will be sent by regular mail to the address of the owner or agent, as identified on the permit application, as well as a copy of the warning mailed to the property address of the subject property.

(3) A fee of \$100.00 will be assessed per point for each point accumulated beyond five points due upon any renewal of the permit.

(4) If a person is found not guilty, or the case against them for a violation is dismissed, then the point shall be removed from the permit as if it had not been assessed.

This ordinance is effective as of final reading.

Requested by:

Mayor and City Council _____



Mayor

Approved by:



City Manager

Approved as to form:

T. A. Knox

City Attorney

ATTEST:



City Clerk

Introduced: 8/18/2020

Final Reading: 8/27/2020