

**COUNCIL OF THE CITY OF ABERDEEN**  
**Ordinance No. 17-O-08**

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**Date Introduced:** March 16, 2017

**Sponsored By:** Councilwoman Sandra Landbeck  
Councilman Timothy Lindecamp

**Public Hearing:** March 27, 2017

**Amendments Adopted:**

**Date Adopted:**

**Date Effective:**

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**AN ORDINANCE concerning**

**PROHIBITED OCCUPANCIES**

**FOR** the purpose of the use or occupancy of tents, other temporary or portable shelters or temporary structures for human habitation under certain circumstances; providing for enforcement and penalties for violations; and matters generally related thereto.

**BY** adding  
Chapter 422. PROHIBITED OCCUPANCIES  
Section 422-1  
Code of the City of Aberdeen (2010 Edition as amended)

**EXPLANATION:**

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

\* \* \* indicates existing unmodified text omitted from Ordinance

**Bold** text within Appendix A, Table 1 and Table 2 indicate new matter added to existing law

**SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN**, that new Section 422-1 is hereby added to the Code of the City of Aberdeen (2010 Edition as amended), to be under new Chapter 422, PROHIBITED OCCUPANCIES, to follow immediately after Chapter 417, PEDDLING AND SOLICITING, and to read as follows:

**CHAPTER 422. PROHIBITED OCCUPANCIES**

**§ 422-1. USE AND OCCUPANCY PROHIBITION.**

A. A PERSON MAY NOT USE OR OCCUPY, FOR PURPOSES OF HUMAN HABITATION FOR MORE THAN 24 CONSECUTIVE HOURS AT THE SAME LOCATION:

(1) A TENT;

(2) ANOTHER TYPE OF TEMPORARY OR PORTABLE SHELTER; OR

(3) A TEMPORARY STRUCTURE THAT IS NOT A DWELLING UNIT AS DEFINED IN THE CITY OF ABERDEEN DEVELOPMENT CODE.

B. FOR PURPOSES OF THIS SECTION, "LOCATION" MEANS A LOT OR PARCEL OF LAND AS SHOWN ON A SUBDIVISION PLAT OR TAX MAP OR AS DESCRIBED BY DEED.

C. THIS SECTION SHALL BE ENFORCED BY SWORN LAW ENFORCEMENT OFFICERS AND CODE ENFORCEMENT OFFICERS OF THE CITY OF ABERDEEN POLICE DEPARTMENT.

D. UPON OBSERVING A PERSON WHO IS VIOLATING SUBSECTION A. OF THIS SECTION, A SWORN LAW ENFORCEMENT OFFICER OR A CODE ENFORCEMENT OFFICER SHALL HAND DELIVER TO THE PERSON WRITTEN NOTICE THAT DIRECTS THE PERSON TO CEASE THE VIOLATION AND ADVISES THE PERSON OF CORRECTIVE MEASURES NECESSARY TO CURE THE VIOLATION.

E. A PERSON WHO FAILS OR REFUSES TO CEASE A VIOLATION OF THIS SECTION AFTER NOTICE IN ACCORDANCE WITH SUBSECTION D. IS GUILTY OF A MUNICIPAL INFRACTION AND IS LIABLE FOR A FINE IN THE AMOUNT OF \$50 FOR EACH VIOLATION. EACH DAY THAT A VIOLATION CONTINUES IS A SEPARATE OFFENSE.

**SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN,** that this Ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.

**COUNCIL OF THE CITY OF ABERDEEN**

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**Patrick L. McGrady, Mayor**

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**Steven E. Goodin, Councilman**

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**Sandra J. Landbeck, Councilwoman**

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**Timothy W. Lindecamp, Councilman**

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**Melvin T. Taylor, Councilman**

**ATTEST:**

**SEAL:**

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**Monica A. Correll, City Clerk**

**Date** \_\_\_\_\_