

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 23-O-13

Date Introduced: September 11, 2023

Sponsored By: Council President Adam Hiob and Councilwoman Tandra Ridgley

Public Hearing: September 25, 2023

Amendments Adopted: October 9, 2023

Date Adopted: October 9, 2023

Date Effective: October 30, 2023

AN ORDINANCE concerning:

CODE ENFORCEMENT

FOR the purpose of revising certain processes for providing notice and enforcing violations of regulations relating to certain conditions of properties; and generally related to enforcement of City of Aberdeen regulations relating to the conditions of properties in the City.

BY repealing and reenacting, with amendments
Chapter 250 **ENVIRONMENTAL CONTROL**
Article III Property Maintenance and Control
Section 250-8
Code of the City of Aberdeen (2010 Edition as amended)

BY repealing and reenacting, with amendments
Chapter 250 **ENVIRONMENTAL CONTROL**
Article V Vegetation
Section 250-15.D.
Code of the City of Aberdeen (2010 Edition as amended)

EXPLANATION:

CAPS INDICATES 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

1 **SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF**
2 **ABERDEEN**, that Section 250-8. of Chapter 250 ENVIRONMENTAL CONTROL, Article III
3 Property Maintenance and Control, of the Code of the City of Aberdeen (2010 Edition as
4 amended), is repealed and reenacted, with amendments, to read as follows:

5
6 **CHAPTER 250 ENVIRONMENTAL CONTROL**

7
8 **Article III Property Maintenance and Control**

9
10 **§250-8. Responsibility of owner and occupant.**

11
12 * * *

13
14 C. Notice of abatement shall require that the owner and/or occupant remove or otherwise abate a
15 nuisance or unsanitary condition that is in violation of this section within seven calendar days
16 from the date of notice, OR WITHIN TWO CALENDAR DAYS IN THE CASE OF
17 HABITUAL VIOLATORS.

18
19 D. (1) FOR ALL VIOLATION OF THIS SECTION IN A CALENDAR YEAR, SERVICE OF
20 THE NOTICE SHALL BE BY PERSONAL SERVICE OR BY POSTING A COPY OF THE
21 NOTICE ON THE FRONT DOOR OR IN SOME OTHER CONSPICUOUS LOCATION ON
22 THE PROPERTY. ((Service of the notice shall be by personal service or certified and regular
23 mail to the last known address of the person in whose name the property is assessed for tax
24 purposes and the tenant or occupant.))

25
26 (2) THE WRITTEN NOTIFICATION SHALL CITE THE VIOLATION ALONG WITH
27 THE PROCESS AND TIME TO ABATE THE VIOLATION. THE TIME TO ABATE
28 SHALL BE 7 CALENDAR DAYS FROM THE DATE OF THE NOTICE OR POSTING
29 FOR FIRST OR SECOND TIME VIOLATIONS, OR WITHIN TWO CALENDAR DAYS
30 IN THE CASE OF HABITUAL VIOLATORS. THE CODE ENFORCEMENT OFFICER,
31 IN THE OFFICER'S DISCRETION AND ON A CASE-BY-CASE BASIS, MAY EXTEND
32 THE TIME TO ABATE UP TO 3 ADDITIONAL CALENDAR DAYS IF NOTICABLE
33 EFFORTS HAVE BEEN MADE TO RECTIFY THE CITED VIOLATION. THE CODE
34 ENFORCEMENT OFFICER SHALL MAKE EFFORTS TO ALSO COMMUNICATE
35 DIRECTLY WITH THE PROPERTY OWNER ON SITE, OR BY MAIL, BY TELEPHONE,
36 OR BY EMAIL IF THAT INFORMATION IS AVAILABLE FOLLOWING DELIVERY OF
37 A NOTICE OF VIOLATION.

38
39 E. If the property owner, tenant and/or occupant fails within seven calendar days of date of notice,
40 OR WITHIN TWO CALENDAR DAYS IN THE CASE OF HABITUAL VIOLATORS, to
41 remove or otherwise abate the nuisance or unsanitary condition specified in the notice, the City
42 shall abate the violation by use of City employees and equipment or by contract with private
43 contractors. to remove or otherwise abate the nuisance or unsanitary condition specified in the

notice, the City shall abate the violation by use of City employees and equipment or by contract with private contractors.

F. NO PROPERTY SHALL BE TRANSFERRED UNLESS ALL OUTSTANDING FINES HAVE BEEN PAID TO THE CITY.

G. AS USED IN THIS SECTION, A "HABITUAL VIOLATOR" IS A PROPERTY FOR WHICH THE CITY HAS ISSUED IN THE SAME CALENDAR YEAR MORE THAN TWO NOTICES OF ABATEMENT UNDER SUBSECTIONS C. AND D. OF THIS SECTION.

SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that Section 250-15.D., Article V Vegetation, of Chapter 250 ENVIRONMENTAL CONTROL, of the Code of the City of Aberdeen (2010 Edition as amended), is repealed and reenacted, with amendments, to read as follows:

CHAPTER 250 ENVIRONMENTAL CONTROL

Article III Property Maintenance and Control

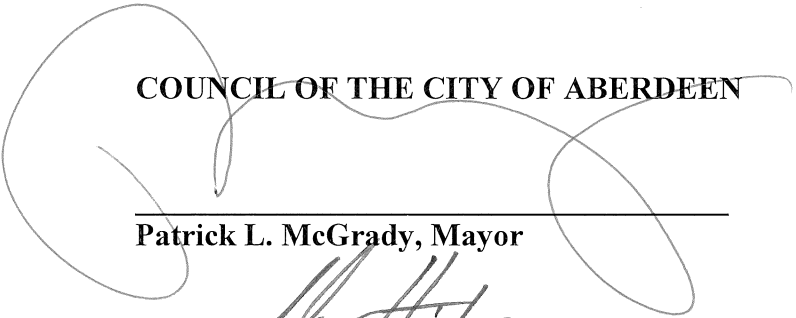
§ 250-15 Height Restriction.

D. (1) FOR ALL VIOLATION OF THIS SECTION IN A CALENDAR YEAR, SERVICE OF THE NOTICE SHALL BE BY PERSONAL SERVICE OR BY POSTING A COPY OF THE NOTICE ON THE FRONT DOOR OR IN SOME OTHER CONSPICUOUS LOCATION ON THE PROPERTY. ((Service of notice shall be by personal service or certified and regular mail to the last known address of the person in whose name the property is assessed for tax purposes and the tenant or occupant, except that in the case of a habitual violator the notice shall be served by personal service, first-class mail or posting on the property that is in violation of this section.))

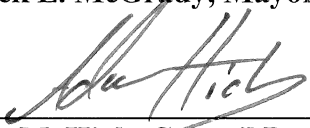
(2) THE WRITTEN NOTIFICATION SHALL CITE THE VIOLATION ALONG WITH THE PROCESS AND TIME TO ABATE THE VIOLATION. THE TIME TO ABATE SHALL BE 7 CALENDAR DAYS FROM THE DATE OF THE NOTICE OR POSTING FOR FIRST OR SECOND TIME VIOLATIONS, OR WITHIN TWO CALENDAR DAYS IN THE CASE OF HABITUAL VIOLATORS. THE CODE ENFORCEMENT OFFICER, IN THE OFFICER'S DISCRETION AND ON A CASE-BY-CASE BASIS, MAY EXTEND THE TIME TO ABATE UP TO 3 ADDITIONAL CALENDAR DAYS IF NOTICABLE EFFORTS HAVE BEEN MADE TO RECTIFY THE CITED VIOLATION. THE CODE ENFORCEMENT OFFICER SHALL ~~MAKE EFFORTS TO ALSO~~ COMMUNICATE DIRECTLY WITH THE PROPERTY OWNER ON SITE, OR BY MAIL, BY TELEPHONE, OR BY EMAIL IF THAT INFORMATION IS AVAILABLE FOLLOWING DELIVERY OF A NOTICE OF VIOLATION.

1 **SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF**
2 **ABERDEEN**, that this Ordinance shall become effective at the expiration of twenty (20) calendar
3 days following adoption.

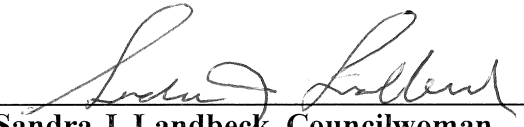
COUNCIL OF THE CITY OF ABERDEEN



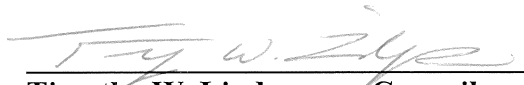
Patrick L. McGrady, Mayor



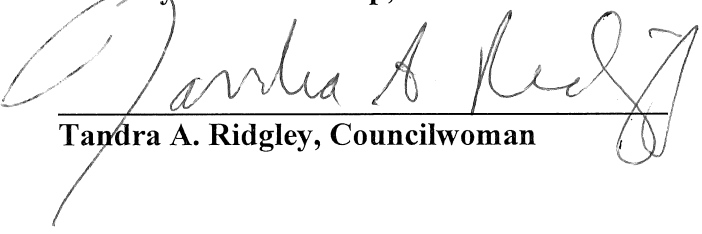
Adam M. Hiob, Council President



Sandra J. Landbeck, Councilwoman

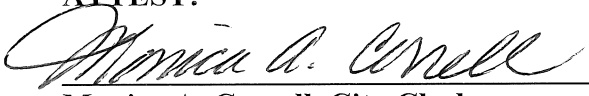


Timothy W. Lindecamp, Councilman



Tandra A. Ridgley, Councilwoman

ATTEST:



Monica A. Correll, City Clerk

Date October 9, 2023

SEAL: