

# Sherwood Forest

## ZONING/ORDINANCE INFORMATION

Zoning, Ordinances & Contacts

APRIL 2007

### Zoning Classes

#### C-1: Office & Institutional

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The C-1 district is intended to accommodate office, institutional, and certain types of residential uses in areas whose characteristic is neither general commercial nor exclusively residential in nature. Certain related structures and uses required to serve the needs of the areas are usually permitted. **(Sec. 17-238)**

#### C-2: Neighborhood Commercial

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The C-2 district is intended to accommodate commercial and service uses oriented primarily to serving the needs of persons who live or work in nearby areas. Certain related structures and uses required to serve the needs of such areas are usually permitted. **(Sec. 17-239)**

#### C-3: General Commercial

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The C-3 district is intended to accommodate a variety of general commercial and nonresidential uses characterized primarily by retail, office and service establishments. Certain related structures and uses are usually permitted, however encouraging the development of strip commercial areas is not intended. **(Sec. 17-240)**

#### PUD-C: Commercial Planned United Development

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The PUD-C district is intended to accommodate primarily nonresidential uses, with residential uses integrated into the design as secondary uses. **(Sec. 17-247)**

#### RG-1: General Residential

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The RG-1 district is intended as a medium and high density population residential area characterized by single-family detached, two-family detached and multiple-family structures, and garden type apartments. Certain structures and uses required to serve governmental, educational, religious, noncommercial, recreational, and other needs of the area are usually permitted. **(Sec. 17-235)**

#### RS-1 & RS-2: Single-Family Residential

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The RS-1 and RS-2 districts are single-family residential areas with detached units with low to medium population densities. Uses for these districts are identical, and the only differences are the varying classes of lot width and lot area.

Certain structures and uses required to serve governmental, educational, religious, noncommercial, recreational, and other needs of these areas are permitted as long as the single-family residential character of these areas is preserved. **(Sec. 17-233)**

### City Ordinances: Animals

#### Sec. 4-1: Killing, injuring or disturbing squirrels or birds.

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It shall be unlawful for any person to kill, maim or otherwise annoy with firearms, air rifles or slingshots, or in any other manner, the squirrels and birds within the limits of the city or within the limits of any park or playground owned by the city, or to disturb the nests of such birds and squirrels; provided that any owner, authorized agent, lessee or tenant of real estate in the city frequented by squirrels in number sufficient to create a nuisance on or cause damage to any property thereon may apply to the police department for a permit and may be authorized by the police department to trap squirrels on such premises and dispose of the squirrels, provided that the disposal of such squirrels is accomplished in a humane and sanitary manner and that the disposal of the squirrels is not accomplished by the use of firearms, air rifles, slingshots or poison. The trapping and disposal of squirrels under this section shall be under the direction and control of the police department.

### **Sec. 4-33: Raising or Keeping Fowl or Rabbits**

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The raising or maintaining of live fowl and rabbits is prohibited within the city.

### **Sec. 4-62: License for Dogs and Cats; Rabies Vaccination**

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(a) *License required; proof of rabies vaccination.* It shall be unlawful for the owner of any dog or cat to fail to provide any dog or cat over four months of age with a current city license tag. The owner of any dog or cat over four months of age must also have a current rabies vaccination tag showing that such animal has been vaccinated. No license shall be issued unless proof of inoculation is shown. Any dog or cat owner who moves in the city for the purpose of establishing residency or who becomes a resident as a result of annexation shall have 30 days in which to obtain the license.

(b) *Fees generally; expiration and renewal; duties of veterinarians.* The city license fee for fertile dogs and cats shall be \$25.00 per year. The city license fee for sterilized dogs and cats shall be \$5.00 per year. Each license required by this article shall be good for one year from the date of its issuance and no longer. Licenses shall be renewed annually and may be renewed 60 days in advance of expiration. At the end of each month, all licensed veterinarians shall transmit complete and legible copies of all rabies vaccination certificates issued during the month to the city's superintendent of animal control.

(c) *Exemptions from differential license fees.*

(1) Any owner of a dog or cat who can furnish a statement by a licensed veterinarian that for medical reasons, the spay or neuter procedure is not appropriate at this time.

(2) Any owner of one or more purebred dogs or cats who can furnish proof of participation in at least three nationally recognized conformation or obedience shows within the past 12 months.

(3) Any owner of a dog which is trained and certified to be an assistance dog for its owner.

(d) *Tags.* The public services department shall annually provide a sufficient number of durable tags suitable for dogs and cats numbered from "1" upwards, on which shall be stamped the year and the words "dog/cat license." Such tags must be worn by all dogs and cats in the city at all times, except that an animal shall not be required to wear a tag if the animal has been permanently marked in a painless manner with an identification number issued by the public services department for that purpose. The permanent mark must be located in a position approved by the public services department.

(e) *Records.* The public services department shall obtain the name and address of each party to whom a license and tag or permanent number has been issued under the provisions of this article and shall keep the name and address on file in the offices of the department for the purpose of identification.

### **Sec. 4-64: Restraint or Confinement of Dogs**

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(a) All dogs must be kept under restraint or confinement within the city limits. Restraint or confinement means (1) on a leash held by a person of sufficient judgment and physical strength to control the dog and to prevent the dog from attacking, threatening or annoying other people or other animals; (2) confinement in an enclosure; or (3) confinement to the property or specific areas of the property of the owner by way of "invisible fencing" or electronic control by way of a transmitter which directs a radio signal to a pet collar which corrects the dog's approaching a perimeter or confinement area wire. Electronic fencing equipment must be approved by the American Society of Prevention of Cruelty to Animals, Humane Society of the United States or the superintendent of animal control for the City of Columbia. Any perimeter or confinement area must be flagged or signed in a conspicuous way so as to provide notice of confinement to pedestrians. Any dogs not so restrained or confined will be deemed unlawfully running at large within the city limits.

(b) It shall be unlawful for any animal to be confined by tethering for more than nine hours in any 24-hour period. Tethers shall be not less than ten feet in length and shall not allow the animal to approach within four feet of the owner's property line. The use of tethers must be humane in all other respects.

(c) Owners of dogs allowed to run at large within the city are guilty of a misdemeanor and are subject to the penalties provided by law for violation of this article. The citation will prescribe the amount of bond to be posted by the violator at the municipal court. A warrant will be issued and served on violators who fail to post bond within three days after issuance of the citation.

#### **Sec. 4-65: Ownership of Dogs Running at Large; Removal of Animal Waste**

(a) Any owner whose dog is found unlawfully running at large or being at large within the city limits shall have no property right or right of ownership in the dog.

(b) The owner of every animal shall be responsible for the removal of any excreta deposited by his animal on public walks and ways, recreation areas or private property.

#### **Sec. 4-66: Impoundment of Pet Animals; Voluntary Surrender of Animal by Owner**

(a) Any animal found within the city limits in violation of the provisions of this article may be caught and impounded by city authorities. If an animal cannot be caught in a safe, efficient manner, animal control personnel may tranquilize the animal by use of a tranquilizer gun. Impounded animals not redeemed within five days may thereafter be humanely destroyed by the animal control division. Animals which are deemed by the superintendent of animal services to constitute a danger to other animals or persons at the shelter, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

(b) Any animal may be surrendered to the animal control division provided there is a properly completed animal surrender form provided to the animal control division for the animal concerned.

(c) It shall be unlawful for any person to furnish false information on the animal surrender form.

(d) Surrendered animals not redeemed within three days, excluding Saturdays, Sundays and city holidays, may thereafter be humanely destroyed by the animal control division. Animals which are deemed by the superintendent of animal services to constitute a danger to other animals or persons at the shelter, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

(e) A positively identifiable animal is one which bears or wears a legible and traceable current permanent number, city license or tag or rabies vaccination tag pursuant to section 4-62; or a traceable registration number, tattoo or microchip pursuant to S.C. Code Ann. 47-3-510 (Supp. 1999).

The owner of a positively identifiable impounded animal shall be notified at the owner's last known address by regular mail and registered mail that the animal has been impounded. The owner has 14 days from the date of mailing to contact the shelter for pick-up. Redemption costs will include the cost of mailing, any established costs, fines, fees or other charges. If the owner does not make contact within 14 days of the date of the mailing, the animal will be deemed abandoned and becomes the property of the animal control division, in which is vested in the animal superintendent the authority to either place the animal for adoption or have the animal humanely destroyed. S.C. Code Ann. 47-3-540 (Supp. 1999). Animals which are deemed by the superintendent to constitute a danger to other animals or persons at the shelter, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

#### **Sec. 4-67: Redemption of Impounded Pet Animals**

(a) The owner or keeper of any pet which has been impounded under the provisions of this article shall have the right to redeem such pet at any time within five days upon payment of a fee as follows:

(1) For a pet which has been properly inoculated, licensed, micro-chipped and neutered or spayed, the fee shall be \$10.00.

(2) For other pets the fee shall be \$10.00 plus the appropriate license fee, the charge for rabies inoculation, a \$10.00 micro-chipping fee, and the cost of spaying or neutering the animal. No fertile animal shall be redeemed or adopted from the shelter. No animal will be released from the shelter without proof of inoculation and without an implanted microchip. The requirement of spaying or neutering may be waived if the owner meets the criteria under the exceptions provisions in subsection 4-62(c). The requirement of spaying or neutering shall not be waived under the exceptions in subsections 4-62(c)(1)--

- (3) when the animal is impounded a second time for any violation of sections 4-64; 4-65; 4-66; 4-70(1), (2), (5), (7) or (8).
- (b) In addition to the redemption fee, and an impound fee of \$20.00, a board fee of \$6.00 per day per pet shall be paid by the owner or keeper when a pet is redeemed.
- (c) The fees set out in this section shall be doubled for any animal impounded twice or more within the same 12-month period.

### **Sec. 4-62: Duties of Person Striking Animals with Vehicle; Disposition of Injured or Diseased Animals Received by Animal Shelter**

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Anyone striking an animal with a motor vehicle or bicycle shall notify the animal control shelter or the police department, who will then take action necessary to make proper disposition of the pet. Any pet received by the animal control shelter in critical condition from wounds, injuries or disease may be destroyed if the owner cannot be located within two hours. If the animal is in severe pain it may be destroyed immediately.

### **Sec. 4-70: Nuisance Animals**

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- (a) *Generally.* The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.
- (b) *Prohibited acts.* It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner as to constitute a public nuisance. By way of example and not of limitation, the following acts or actions by an owner or possessor of any animal are declared to be a public nuisance and are therefore unlawful:
- (1) Failure to exercise sufficient restraint necessary to control an animal as required by section 4-64.
  - (2) Allowing or permitting an animal to damage the property of anyone other than its owner, including but not limited to turning over garbage containers or damaging gardens, flowers or vegetables.
  - (3) Maintaining a dangerous animal as defined in this article.
  - (4) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare or safety.
  - (5) Maintaining his property in a manner that is offensive, annoying or dangerous to the public health, safety or welfare of the community because of the number, type, variety, density or location of the animals on the property.
  - (6) Allowing or permitting an animal to bark, whine, howl, crow or cackle in an excessive, continuous or untimely fashion, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.
  - (7) Maintaining an animal that is diseased and dangerous to the public health.
  - (8) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks or barks at pedestrians, bicycles or vehicles.
- (c) *Impoundment.* Any pet found in continued violation of the provisions of this section or identified as a public nuisance may be impounded and not released unless authorized by the animal control supervisor.
- (d) *Confinement of female animals in heat.* Every female pet in heat shall be kept confined in a building or secure enclosure in such manner as will not create a nuisance by attracting other animals.

### **Sec. 4-91: Prohibited; Exceptions**

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- (a) Except as provided in subsection 4-91(d), it shall be unlawful for any person to own, keep, harbor or act as custodian of a:
- (1) Dangerous animal as declared by the animal superintendent or city manager or designee; this section does not apply to guard dogs or attack dogs;
  - (2) a. Non-domestic member of the family felidae;
  - b. Wolf-dog hybrid containing any percentage of wolf;
  - c. Badger, wolverine, weasel, skunk and mink;
  - d. Raccoon;
  - e. Bear;
  - f. Nonhuman primate to include ape, monkey, baboon, macaque, lemur;

- g. Marmoset, tamarin and other species of the order primates;
  - h. Bat;
  - i. Alligator, crocodile and caiman;
  - j. Scorpion;
  - k. Constricting snake of the following species: reticulated python, python reticulatus; Burmese/Indian rock python, python molurus; rock python, python sebae, and anaconda, eunectes murinus;
  - l. Venomous reptile; or
  - m. Lizard over two feet which are members of the family varanidae.
- (b) It shall be unlawful for any person to expose to public view or contact, exhibit either gratuitously or for a fee, any wild or feral animals identified in subsection 4-91(c), or any animal of mixed domestication and feral lineage within the corporate limits of the city on public or private property, except as provided in subsection 4-91(d).
- (c) Wild or feral animal means:
- (1) Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;
  - (2) Any animal declared to be illegal by the animal superintendent or the city manager or his or her designee;
  - (3) Any non-domesticated member of the order Carnivora;
  - (4) The following animals which shall be deemed to be wild or feral animals per se:
    - a. All non-domestic members of the family felidae;
    - b. Wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes;
    - c. Badgers, wolverines, weasels, skunks and mink;
    - d. Raccoons;
    - e. Bears;
    - f. Nonhuman primates to include apes, monkeys, baboons, macaques, lemurs, marmosets, tamarins and other species of the order primates;
    - g. Bats;
    - h. Alligators, crocodiles and caimans;
    - i. Scorpions;
    - j. Any snakes or venomous reptile; or
    - k. Lizards over two feet which are members of the family varanidae;
- (d) The prohibition contained in subsections (a), (b) and (c) above, shall not apply to the keeping of wild or feral animals in the following circumstances:
- (1) The keeping of wild or feral animals in a public zoo, bona fide education or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study.
  - (2) The keeping of wild or feral animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show, properly licensed and permitted by state and local law.
  - (3) The keeping of wild or feral animals in a bona fide, licensed veterinary hospital for treatment.
  - (4) The keeping of wild or feral animals by a wildlife rescue organization with appropriate permits from any state or local regulatory body.

#### **Sec. 4-93: Signage for Guard Dogs or Attack Dogs**

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All owners, keepers, harborers, lessees or custodians of any guard dog or attack dog shall display in a prominent place on their premises, and at each entrance or exit to the area in which such dog is confined, a sign, easily readable by the public, using the words "Beware of Dog" or wording of similar import in letters at least two inches in height. This section shall not apply to any guard dog or attack dog owned or used by law enforcement agencies.

#### **Sec. 4-94: Insurance Requirements for Guard Dogs or Attack Dogs**

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The owner of any guard dog which protects property in the city shall maintain a general liability insurance policy insuring against liability resulting from acts of the dog while performing as guardian of the property upon which the dog is located in an amount not less than \$300,000.00 aggregate combined single limit for bodily injury, personal injury and property damage.

## **City Ordinances: Buildings**

### **Sec. 5-292: Complaints and Notices**

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Whenever a petition is filed with the director of inspections by a public authority or by at least five residents of the city charging that any dwelling is unfit for human habitation, or whenever it appears to the director of inspections that any dwelling is unfit for human habitation, the director of inspections may conduct a preliminary investigation of such charges, and should it appear that a basis exists for such charges, the director of inspections shall issue and cause to be served upon the owner of and all parties in interest in such dwelling a complaint stating the charges. The complaint shall contain a notice that a hearing shall be held before the director of inspections or his designated agent not less than ten and not more than 30 days after the date of service of the complaint. The complaint and notice shall specify the time and place of the hearing and shall advise the owner and parties in interest of their right to file an answer to the complaint, to appear in person or otherwise at the hearing, and to give testimony at the hearing. The complaint and notice shall further specify that the rules of evidence prevailing in courts of law or equity shall not be controlling at the hearing.

## **City Ordinances: Environmental Health and Safety**

### **Sec. 8-1: Hazardous Fences**

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It shall be unlawful for any person to install, erect, maintain or permit on property owned, occupied or controlled by such person any fence, wall, screen, barricade, post or structure which has affixed to or incorporated into it barbed wire, concertina wire, electrically charged wire, spikes, blades, glass or any other sharp objects or hazardous materials at a level lower than five feet above the ground or the surface upon which pedestrians or vehicles may travel; provided that a fence may have pointed surfaces above and aligned parallel to the fence at a level not lower than 45 inches above the ground or the surface upon which pedestrians or vehicles may travel.

### **Sec. 8-31: Common Nuisances**

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(a) A common nuisance is defined as an offense against the public order and economy of the city, by unlawfully doing any act, or by omitting to perform any duty, which the common good, public decency or morals or the public right to life, health and the use of property requires and which at the same time annoys, injures, endangers, renders insecure or interferes with the rights of property of the whole community, or any considerable number of persons.

(b) Any person who creates a common nuisance, as defined in subsection (a) of this section, shall be guilty of a misdemeanor, punishable, upon conviction, in accordance with section 1-5. The city manager may cause to be abated any common nuisance as defined in subsection (a) of this section. This section shall be cumulative in its effect and shall not be construed to repeal any existing ordinances in regard to nuisances.

### **Sec. 8-32: Premises to be Kept in Sanitary Condition**

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All premises shall be kept at all times in a sanitary condition and all garbage, leaves, trash, damp or low places, cans, vessels, broken bottles, or pieces of china or glass that may hold water shall be deemed unsanitary. The occupant of any premises and the owner of any vacant premises within the city who shall permit or tolerate the existence of any of the conditions condemned in this section shall be guilty of a misdemeanor, punishable, upon conviction, in accordance with section 1-5.

### **Sec. 8-61: Unreasonably Loud, Disturbing or Unnecessary Noise**

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It shall be unlawful for any person to create, assist in creating, permit, continue or permit the continuance of any unreasonably loud, disturbing or unnecessary noise in the city.

## **Sec. 8-66: Noises in Connection with Loading or Unloading Vehicles**

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It shall be unlawful for any person to use or permit to be used any automobile, truck, bus, motorcycle or other vehicle, engine, stationary or moving, instrument, device or other thing so out of repair, or so loaded in such a manner, as to create any loud and excessive noise in connection with the loading or unloading of any vehicle or the opening or destruction of bales, boxes, crates or containers.

## **Sec. 8-67: Radios, Phonographs, Musical Instruments and Other Sound-Amplifying Devices**

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(a) *Disturbing the public generally.* It shall be unlawful for any person to maintain and operate in any building or on any premises in the city any radio device or mechanical musical instrument or device of any kind whereby the sound therefrom is cast directly upon the public streets and places in such a manner as to create unreasonably loud, excessive or disturbing noises and where such device is maintained and operated for advertising purposes or for the purpose of attracting the attention of the passing public, or which is so placed and operated that the sounds coming therefrom can be heard to the annoyance or inconvenience of travelers upon any street, park or public place or of persons on neighboring premises.

(b) *Disturbing persons in hotel or dwelling.* It shall be unlawful for any person to play any radio, phonograph or musical instrument in such a manner or with such volume, particularly between 11:30 p.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort or repose of persons in any dwelling, hotel or other type of residence.

(c) *Creating public nuisance.* It shall be unlawful for any person to operate, or cause or permit to be operated, any instrument or sound-producing or sound-amplifying device so loudly as to unreasonably disturb persons in the vicinity thereof or in such a manner as renders the instrument or device a public nuisance.

(d) *Permit for special occasions.* Upon application to the city council, permits may be granted to responsible organizations to broadcast programs of music, speeches or general entertainment as a part and in recognition of the community celebration of national, state or city events, public festivals or outstanding events of a noncommercial character, provided that traffic on the streets is not obstructed by reason thereof.

## **Sec. 8-70: Audible Signal Alarm Devices**

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The following requirements as to the audible signal alarm devices shall apply to all buildings in the city:

(1) *Definition.* An audible signal alarm device shall mean any mechanism, equipment or system which is designed to operate automatically through the use or emission of an audible signal, message or warning.

(2) *Filing and posting of names of persons authorized to shut off alarm.* It shall be unlawful for the owner or occupant of any building in the city to cause or allow such building to contain or otherwise use an audible signal alarm device unless there is filed with the police department and posted on one or more of the usual entrances to the building, in a conspicuous place and manner visible from without the entrance, a list of the names and telephone numbers of persons who have access to and can shut down the device if the device is triggered or otherwise emits an audible signal or noise.

(3) *Availability of persons authorized to shut off alarm.* It shall be the duty of the owner or occupant to ensure that one or more of the persons whose telephone numbers are so listed shall be available at those telephone numbers at all hours and times, or in the alternative, that the owner or occupant notify the chief of police of the city, or such person as the chief of police may designate, of the telephone numbers at which one or more of those persons may be reached.

(4) *Penalty.* Violation of this section or failure to comply with any of its provisions shall be a misdemeanor, punishable, upon conviction, in accordance with section 1-5. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

## **Sec. 8-131: Open Burning**

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(a) All open burning is prohibited without special permit issued by the pollution control officer with concurrence of the fire department in exceptional cases, except as follows:

- (1) Open fires may be set in performance of an official duty of any public officer if the fire is necessary for the prevention of a hazard which cannot be abated by other means, for the instruction of public firefighters under the supervision of the fire chief, or for the protection of public health.
  - (2) Fires may be used for the cooking of food, provided no smoke violation or other nuisance is created.
  - (3) Salamanders or other devices may be used for heating by construction or other workers, provided no smoke violation or other nuisance is created.
  - (4) Fires may be set in the course of agricultural operations in growing crops or raising fowl or animals, provided no nuisance is created.
  - (5) Open fires may be set for recreational purposes, such as campfires, provided no smoke violation or nuisance is created.
- (b) Fires started in violation of this article shall be promptly extinguished by the person responsible for the fire upon proper notice by the pollution control officer or his agent. During the existence of a pollution alert, as may be declared by designated authorities, all exceptions are void and no open fires shall be kindled. Where possible, all open burning in progress during an alert will be extinguished immediately by responsible persons when properly notified.

### **Sec. 8-237: Duty of Owner or Occupant to Keep Premises Clean; Sweeping Litter into Street, Sidewalk or Drain**

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- (a) It shall be the duty of the owner, agent, occupant or lessee to keep exterior private and public property free of litter and unsightly growth. This requirement applies not only to removal of loose litter, but to materials that already are, or become, trapped at such locations as fences and wall bases, grassy and planted areas, borders, embankments and other lodging points.
- (b) Owners, agents, occupants or lessees whose properties abut a city right-of-way shall be responsible for keeping the area up to and including the curb gutter or street line free of litter and unsightly growth.
- (c) It shall be unlawful to sweep or push litter from buildings, property, sidewalks and strips into streets, sidewalks and the storm drainage system. Sidewalk and strip sweepings must be picked up and put into roll carts, litter containers or commercial bulk containers.
- (d) The director of public services shall provide written notice to the owner, agent, occupant or lessee identifying any deficiencies or violation requiring correction five days prior to any other enforcement action taken in regard to the provisions of this section.

### **Sec. 8-272: Dumping Dead Animals or Waste Matter**

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It shall be unlawful for any person to dump or place on any premises, land or waterway within the corporate limits of the city any dead animals or any waste vegetable or animal matter of any kind.

### **Sec. 8-237: Storage of Lumber, Bricks and Similar Materials**

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It shall be unlawful for any person to permit to accumulate on any premises, improved or vacant, or on any open lot or alley in the city, any lumber, boxes, barrels, bricks, stones or similar materials that may be permitted to remain thereon, unless the materials shall be placed on open racks that are elevated not less than 18 inches above the ground and evenly piled or stacked so that these materials will not afford harborage for rats.

### **Sec. 8-276: Storage of Garbage and Refuse**

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All garbage or refuse consisting of waste animal or vegetable matter upon which rats may feed, and all small dead animals, within the corporate limits of the city, shall be placed and stored until collected by the solid waste department in covered containers of a type prescribed by the health officer according to existing conditions.

### **Sec. 8-301: Removal Required**

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It shall be unlawful for the owner and/or occupant of property to fail to cut grass, weeds and other overgrowth vegetation on property when the grass, weeds and other overgrowth vegetation is of a greater height than one foot on the average, or to permit the property to serve as a breeding place for mosquitoes, as a refuge for rats and snakes, as a collecting place for trash and litter, or as a fire hazard,

any one of which situations is declared to be a nuisance. It shall be the duty of the owner and occupant to cut and remove all grass, weeds and other overgrowth vegetation as often as necessary so as to comply with this section. Vacant lots shall be cut at least three times per year, as required during the growing season (April through September). Heavily wooded lots where equipment cannot maneuver on the lot because of density of the area shall be trimmed within 100 feet of street right-of-way and adjacent improved property and kept free of litter.

### **Sec. 8-331: Duties of Property Owners**

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(a) It shall be the duty of all owners of property in the city upon which sidewalks have been laid to keep such walkways clean and free from obstruction. Owners of property shall report defective conditions in sidewalks to the city manager or director of public services.

(b) All persons who own real estate in the city which abuts upon any street right-of-way shall be required to keep that portion of the right-of-way which lies between the property line and the street side of the gutter of the adjoining street free from unsightly vegetation or other things which would mar or detract from the beauty and cleanliness of the street upon which their property abuts. Any owner of business or institutional property who shall place or allow grass to grow upon the portion of the right-of-way lying between the property line and the curb-line of the street upon which his real estate abuts shall keep such grass properly mowed and free from rubbish of all kinds. If such owners are not in the possession of their property, then this section shall apply to their tenants or those who have possession or control of the property.

## **City Ordinances: Traffic**

### **Sec. 12-6: Removal of Trees, Shrubs or Other Plants Constituting Traffic Hazard**

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(a) The director of public services is hereby authorized to remove any and all shrubbery, trees, weeds, bushes or plants of any kind from the streets and sidewalks of the city when it is determined by such officer that the tree, shrub or other plant constitutes a dangerous condition in the movement of motor vehicle traffic within the city or interferes in any way with the orderly and safe movement of such traffic. Such officer is further authorized to cut and remove any portion of any trees, shrubbery, bushes or plants which overhang the streets or sidewalks of the city and which interfere in the judgment of such official with the safe and proper movement of motor vehicle traffic.

(b) Whenever it shall be determined by the director of public services that there exists on any privately owned property or lot located at any street intersection of the city any tree, bush, shrubbery or other plant which obstructs the view of motor vehicles or other traffic or which interferes with the safe and orderly movement of traffic or creates a dangerous condition, the owner and occupant of such private lot or property shall, within ten days after written notice given by the city, remove any such tree, bush, shrubbery or other plant. Any owner or occupant of such privately owned property or lot who shall fail or refuse to remove any such tree, bush, shrubbery or other plant shall be guilty of a misdemeanor, punishable, upon conviction, in accordance with section 1-5.

### **Sec. 12-41: Unattended Motor Vehicles**

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It shall be unlawful for any person driving or in charge of a motor vehicle to leave such vehicle unattended on any street, alley, other public property, or new or used car lot, or on any private parking lot to which the general public is invited and at which there is no attendant, without first stopping the engine, locking the ignition and removing the ignition key from the vehicle; provided, however, the provisions of this section shall not be applicable to vehicles used for public transportation, vehicles used for delivery and emergency purposes, or vehicles owned and operated for governmental purposes by the city, county or state. Whenever any police officer shall find a motor vehicle standing unattended with the ignition key in the vehicle in violation of this section, such police officer shall prepare a citation against the owner of the vehicle and shall affix the citation to the vehicle. The registered owner of a vehicle found in violation shall be held prima facie responsible for any such violation.

## **Sec. 12-42: Storage of Commercial Vehicles on Streets**

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No person shall store or permit to be stored any commercial vehicle, recreational vehicle or trailer of any size or description, upon any of the streets of the city. For the purpose of this section, storage shall mean the leaving or parking of such vehicle unattended on a street for a longer time than two hours, day or night. For the purposes of this section, the term "street" shall include any area within the street right-of-way including the area between the curb-line and adjacent property lines.

## **City Ordinances: Trash Collection**

### **Sec. 19-34: Materials to be Removed by Occupant**

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(a) *Non-household waste.* Rubbish, ashes or building materials not resulting from normal household use must be removed from the premises by the occupant.

(b) *Packing materials.* Any owner or occupant of any establishment or institution where packing and unpacking and/or loading and unloading of materials at exterior locations take place shall provide suitable containers there for the disposal and storage of such materials and shall make appropriate arrangements for the collection and disposal thereof. Furthermore, it shall be the duty of the owner or occupant to remove at the end of each working day any materials that have not been containerized at these locations.

### **Sec. 19-35: Receptacle Requirements; Placement of Receptacles at Curbside**

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(a) *Receptacles generally.* Every person producing or having refuse collected by the city shall keep, on the premises or property occupied or used by him, refuse roll carts or bulk containers as specified in this article, in locations accessible using normal collection methods, to handle accumulations of refuse on the premises or property in the interval between collections by the city. In those areas designated by the city, every person producing or having recyclable materials to be collected by the city may, on a voluntary basis and upon request to the city, keep on the premises or property occupied or used by him recyclables containers as specified in this article, in locations accessible using normal collection methods, to handle accumulations of recyclable materials on the premises or property in the interval between collections by the city.

(b) *Placement at curb.* Roll carts and, in those areas designated by the city, recyclables containers are to be placed at curbside no later than 8:00 a.m. on the day of the collection and removed no later than 7:30 p.m. on the day of collection. Special exceptions to this requirement may be granted when the superintendent of solid waste determines that there is no person living in the house who is physically capable of rolling the cart to and from the curb or carrying the recyclables containers to the curb.

(c) *Roll carts.* One roll cart shall be issued to each household in the city. The roll carts remain the property of the city for use of the households to which they are issued. Residents who damage roll carts issued to them must pay for repairing the carts or purchasing replacement carts from the city. Carts that are damaged through normal use as a result of being emptied by city forces will be repaired or replaced at city expense. Collection will be suspended at any location at which a roll cart is missing or at which a roll cart is damaged to such an extent as to interfere with normal collection methods.

(d) *Recyclables containers.* A recyclables container shall be issued to each requesting household in those areas designated by the city. The recyclables containers shall remain the property of the city for use of the household to which they are issued. Residents who damage or lose the recyclables container issued to them must pay for purchasing a replacement recyclables container from the city. Recyclables containers that are damaged through normal use as a result of being emptied by city forces will be replaced at city expense.

### **Sec. 19-36: Placement of Waste in Receptacles**

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(a) Garbage and rubbish must be placed in refuse roll carts or bulk containers as specified in this article. In those areas designated by the city, recyclable materials, in order to be recycled, must be placed in recyclables containers. Glass and plastic shall have all lids removed prior to being placed in the recyclables container. Other material resulting from normal household use also should be placed in refuse roll carts, provided the total weight of the filled receptacle shall not exceed 200 pounds.

(b) As many as three 30-gallon trash bags and/or boxes will be collected biweekly with the roll cart. Solid waste in excess of the amounts described in this section will be removed by the street cleaning crew on the assigned day.

### **Sec. 19-37: Materials not to be Placed in Receptacles**

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(a) *Excess waste.* Materials resulting from normal household use, other than garbage, in quantities too great to be placed in roll carts may be placed contiguous to the front of the household premises off of the paved portion of the street right-of-way, but not in median strips or in front of property of another without consent.

(b) *Bulky waste.* Appliances, furniture, bedding and other bulky items resulting from normal household use shall be subject to special collection upon call to the sanitation division. These items shall be placed at the street only on the day agreed to for pickup.

(c) *Tree trimmings and yard waste.* Shrubbery trimmings, tree trimmings, grass clippings, leaves and other outdoor vegetation shall be kept separate from all other garbage, rubbish or other household materials and be placed contiguous to the front of the premises off of the paved portion of the street right-of-way, but not in median strips or in front of property of another without consent. Tree limbs shall not exceed six feet in length or have diameters greater than eight inches.

### **Sec. 19-41: Restrictions on Collection**

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(a) *Receptacles on streets or sidewalks.* All receptacles for business or commercial establishments shall be made available to the collectors not later than 7:00 p.m. All receptacles placed on city streets or sidewalks shall be removed not later than 9:00 a.m. following collection, and no receptacles shall be placed on any sidewalk or street between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday or between the hours of 10:00 p.m. Saturday through 6:00 p.m. Sunday.

(b) *Bulk containers.* All bulk containers shall have the words "No Parking--Towing Enforced" or words of similar import in letters of not less than four inches in height in contrasting color painted on the approach side of the container. Parking enforcement shall be the responsibility of the recipient of collection services.

(c) *Hazardous refuse.* No hazardous materials shall be collected.

(d) *Dead animals.* Small dead animals will be collected without charge between 8:00 a.m. and 4:00 p.m. upon notification to the solid waste division and provided the body is in a location accessible to the collector. Owners of large dead animals shall be responsible for their removal and disposal.

(e) *Lot clearing.* No materials such as trees, shrubbery or underbrush resulting from land being cleared, either by order of the health department or otherwise, or from construction or demolition either resulting from order by the building official or otherwise, will be collected by the city without charge.

(f) *Commercial cutting.* The city will not collect without charge materials such as trees, shrubbery, underbrush, chips or sawdust resulting from commercial cutting operations. Commercial cutters, such as tree surgeons and landscapers, are required to dispose of waste produced by their operations promptly at no expense to the city.

(g) *Bulk containers for multiple dwelling units.* The owners of multiple residential units containing more than six dwellings shall be required to furnish bulk containers of sufficient size and quantity to accommodate the maximum amount of waste to be disposed of by the city pursuant to regulation. Waste not placed in such bulk containers must be disposed of by the owners of the property or persons responsible for the waste. Each day of failure to comply with this section shall constitute a separate offense.

(h) *Bulk containers for commercial and industrial users.* Commercial and industrial users shall provide bulk containers as required by regulation.

(i) *Waste injurious to collection equipment.* Any solid waste item that has demonstrated by experience that it has a high probability of inflicting damage to the collection equipment used by the city may be excluded from the collection process.

## City of Columbia Phone Numbers

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Animal Control: 776-7387

Code Enforcement: 545-3430

Fire: 545-3700

Legal: 737-4242

Parks and Recreation: 545-3100

Police: 545-3510

Public Works: 545-3780

Waste: 545-3800

Water: 545-3300

Zoning: 545-3333

<http://www.sherwoodforestneighbors.org>