



BUILDING CODES COMMITTEE MEETING

MONDAY, JUNE 6, 2022 | 6 PM

1st committee meeting

The Committee will meet in the Mauldin City Hall at 5 East Butler Road in the Council Chambers at 6 p.m.

Please note that members of the public may attend this meeting in-person but are encouraged to participate remotely. The meeting will be available remotely through Zoom. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.



Building Codes (BDS) Committee AGENDA June 6, 2022

Committee Members: Diane Kuzniar (Chair), Taft Matney, Frank Allgood

- | | |
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| 1. <u>Call to Order</u> | The Honorable Diane Kuzniar |
| 2. <u>Public Comment</u> | The Honorable Diane Kuzniar |
| 3. <u>Reading and Approval of Minutes</u> | The Honorable Diane Kuzniar |
| a. Building Codes Committee Meeting:
May 2, 2022 (<i>Pages 3-8</i>) | |
| 4. <u>Reports or Communications from City Officers</u> | The Honorable Diane Kuzniar |
| a. BDS Director David Dyrhaug | |
| 5. <u>Unfinished Business</u> | The Honorable Diane Kuzniar |
| a. An amendment to Chapter 18, Article II (Nuisances) of the Mauldin Code of Ordinances to authorize the codes enforcement official rather than the Building and Zoning Director to enforce certain provisions contained herein and to provide for and establish certain standards to protect against nuisances caused by light glare and light trespass and for other matters related thereto (<i>Pages 9-16</i>) | |
| 6. <u>New Business</u> | The Honorable Diane Kuzniar |
| None | |
| 7. <u>Public Comment</u> | The Honorable Diane Kuzniar |
| 8. <u>Committee Concerns</u> | The Honorable Diane Kuzniar |
| 9. <u>Adjourn</u> | The Honorable Diane Kuzniar |

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Minutes

Building Codes (BDS) Committee

May 2, 2022

3rd Committee Meeting

Committee Members: Diane Kuzniar (Chair), Taft Matney, Frank Allgood

Others present: Business and Development Services Director David Dyrhaug and City Administrator Brandon Madden

1. Call to Order- Chairwoman Kuzniar

2. Public Comment- None

3. Reading and Approval of Minutes

a. Building Codes Committee Meeting: April 4, 2022

Motion: Councilman Matney made a motion to approve the minutes with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

4. Reports or Communications from City Officers

a. BDS Director David Dyrhaug- The budget is on track. The inspection line will increase as the Building Inspector has been unable to perform inspections due to an injury. The inspections have been contracted out.

Business licenses were due today.

5. Unfinished Business- There is no unfinished business.

6. New Business

a. An ordinance approving a major change to the Centerpointe Planned Development District

The City of Mauldin has received a request to make a change to the Centerpointe PD pursuant to Section 5:11.17 of the Mauldin Zoning Ordinance. The change consists of amending the use description for 13.13 acres located at 315 Bridgeway Blvd. The applicant has requested to change this description from “Non-Residential” to “Non-Residential and/or Multi-family Residential” to accommodate a senior living facility. In addition, the change to this tract includes increasing the maximum building square footage from 240,000 square feet to 350,000 square feet and the maximum parking from 200 spaces to 350 spaces.

A company called Bovermo Investments is proposing to develop an Arden Community senior living facility on a portion of this tract consisting of approximately 7 acres. Representatives from Arden attended the meeting and advised committee of their intent to construct a 4-story facility comprising 152 market-rate, rental units for seniors ages 55 and up. Access for the units will be internal through interior corridors.

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The site would also include enclosed garages, a dog park area, and green space for future amenities. On-site amenities may include a fitness center, craft/art room, wellness room, pub, and common/game room. Outdoor amenities may include a pool, seating areas, and lawns for recreational and fitness activities. This facility would be private paid for people who make between \$22,000 and \$90,000 a year.

Chairwoman Kuzniar asked if this would be an assisted living or memory care facility. She asked this because a concern was raised about EMS sirens back and forth from the facility. Mr. Woodley from Arden said no, these residents would be independent seniors.

Chairwoman Kuzniar then asked if the a/c units on the roof would be shielded. Mr. Woodley said they would be on the roof in a recessed area in a mechanical well. The units would not be visible.

Councilman Matney asked about sewer capacity. Mr. Madden said he is not aware of any capacity issues. Nick Myers from Arden said they have been in discussions with the sewer provider and should be receiving correspondence in writing soon. Mr. Matney asked that this be provided to Council.

Councilman Allgood asked if buffer information, outdoor lighting, and landscaping requirement information could be provided to Council as well and was answered yes.

Councilman Allgood said questions were raised during the public hearing regarding the entrance to the property. He asked if any consideration had been given as to if the entrance would be able to be moved. Mr. Woodley answered there is a gas line easement that bifurcates the property and prohibits the entrance being placed anywhere else.

Councilman Allgood asked if a traffic impact study would be done. Mr. Dyrhaug said there are thresholds that need to be met to require a study. If the thresholds are met, a traffic impact study will be done when the final development plan is submitted to the Planning Commission.

Construction should last anywhere between 18-20 months. Chairwoman Kuzniar asked if any trees will be saved on the property. The existing trees are mature and new plantings would have to grow. Mr. Woodley said the majority of the existing trees will be removed, but they will save what they can.

On April 27, 2022, the Planning Commission conducted a public hearing. After the public hearing was concluded, the Planning Commission voted 6-0 to recommend approval of the major change to the Centerpointe PD.

Motion: Councilman Matney made a motion to send this item to Council with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

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- b. An ordinance to rezone property consisting of approximately 8.1 acres located at 711 North Main Street and 713 North Main Street (tax map parcels #M008.03-01-010.01 and #M008.03-01-010.10) and providing an effective date

The City has received a signed petition requesting the rezoning of approximately 8.17 acres located at 711 and 713 North Main Street. This is at the intersection of North Main Street and Edgewood Drive. The applicant has requested that this entire tract be rezoned from C-2, General Commercial, and R 20, Residential, to R-M, Multi-Family Residential. The applicant is planning for a townhome-style rental community project.

The property at 711 N. Main Street is currently vacant and is the former site of Markdown Mobile Homes. The property at 713 N. Main Street is currently occupied by Ricky's Pools swimming pool repair service.

A company called Deep River South Development is proposing to develop a 90-unit townhome-style rental community on this 8-acre tract. The community is being planned and designed to appeal to residents who work from home. The community will feature a community clubhouse and business center near the community entrance. The community will also feature a central stormwater management area designed as a passive recreational area. The rear of the homes that back up to Edgewood Drive will be designed with doors, windows, landscaping and porch lights that are typical of the design of the front of a home so as to enhance the aesthetic along Edgewood Drive. It is also expected that the community will feature sidewalks and walking paths.

Scott Gillespie represented Deep River South Development. Councilman Allgood asked about the buffers. Mr. Gillespie said his understanding and what it appears to him is the separation is 50 feet all the way around the property.

Councilman Matney asked what plantings would be installed along Edgewood Drive. Mr. Gillespie said he met with some residents in Knollwood. Part of the area was reseeded. The trees that are currently there will be left. The back side of the units will have front yard landscaping. As the project moves along, landscape planning will be brought to the City with more specific types of plants listed.

Chairwoman Kuzniar asked about stormwater runoff. Mr. Gillespie said there is an 8-foot fall to the southeast edge of the property. The lowest part would have to be raised up just a little to make the water flow. The 8-foot fall would make that work. The detention pond is over-designed to accommodate the entire site. There is a way to channel water by using mesh and river rock and creating a meandering stream. Trees and plant species that are water tolerant will be installed to create a park-like setting.

The Planning Commission held a public hearing on April 27, 2022. Three citizens spoke at the public hearing.

Motion: Councilman Matney made a motion to send this item to Council with Councilman Allgood seconding.

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Vote: The vote was unanimous (3-0).

- c. An amendment to Chapter 10, Article II (Business Licenses), Section 6 (Deductions, Exemptions, and Charitable Organizations) of the Mauldin Code of Ordinances to exempt short-term vendors at public markets from the business license tax

The City of Mauldin ordinances do not provide any business license tax exemption for short-term vendors that participate in public market events managed by the City of Mauldin. In addition to the requirement to pay a business license tax, vendors have been subject to a separate application fee for participating in public market events managed by the City of Mauldin. The cities of Greenville, Greer, Simpsonville, and Fountain Inn each exempt short-term vendors at public market events from the business license tax.

This amendment additionally lists short-term vendors at public market events operated, managed, or sponsored by the City of Mauldin. This covers vendors that sell farm and orchard produce, processed foods, crafts and/or like miscellaneous personal, family and household products at these events. This does not cover mobile food sales such as food trucks and food trailers (mobile food sales are eligible for other fee exemptions administered in the zoning ordinance).

Motion: Councilman Matney made a motion to send this item to Council with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

- d. An amendment to Chapter 18, Article II (Nuisances) of the Mauldin Code of Ordinances to authorize the codes enforcement official rather than the Building and Zoning Director to enforce certain provisions contained herein and to provide for and establish certain standards to protect against nuisances caused by light glare and light trespass and for other matters related thereto

Earlier this year, staff was asked to examine and explore the opportunity to consider outdoor lighting standards that could address nuisances created by outdoor lighting, particularly in residential neighborhoods.

Presently, the City of Mauldin has outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions primarily apply to new development and where new outdoor lighting fixtures are installed, except that these provisions do not apply to single-family residential properties even though single-family residential properties may be the cause of glare and light pollution to other single-family properties. Additionally, these provisions do not apply to street lighting installed by a governmental agency.

Councilman Allgood asked if there was a reason there was no distance requirement for the lighting. The way the ordinance is worded, someone passing by a light source could call in a complaint. Mr. Dyrhaug said he could put in a distance, but it wouldn't have a scientific reason behind it.

Councilman Matney said Council has been passing of ordinances lately that are solutions in search of problems. He thinks this would be better solved by going to the owner of the fixture and asking

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them to remedy the problem. Mr. Dyrhaug said if the owner says no, then the citizen would have no recourse.

Councilman Allgood said he could support something if there is a distance added. Chairwoman Kuzniar said the light being discussed affects the house two doors down now. Sometimes you have neighbors who are willing to do things and sometimes you have unwilling neighbors. There is a lighting ordinance for businesses so that there is recourse in case the business will not help the affected party.

Mr. Dyrhaug said light is considered a nuisance in some cases and civil cases have been filed for these issues. Councilman Matney asked if this would affect signs in any way. There are signs that blink or change colors. Mr. Dyrhaug said if we have signs that are blinking or changing colors, they are probably against code. Chairwoman Kuzniar would like residents to have recourse other than having to take their neighbors to court.

Councilman Matney said there is subjectivity and feels there is a rush to get something done. He can't support the ordinance as it is. He would vote to hold it in committee to discuss this further and get some more information.

Motion: Councilman Matney made a motion to hold this item in committee with Councilman Allgood seconding.

Vote: The vote was unanimous (3-0).

e. Appointments to the Planning Commission

Two members of the Planning Commission have recently tendered resignations, Ms. Kaitlyn Woolard (Seat #6) because she will be moving out of state and Mr. Dean Oang (Seat #7) because his travel schedule for work is impacting his ability to attend Planning Commission meetings. Therefore, there are currently 2 open seats on the Planning Commission. The current term for Seat #6 is for two more years and will expire at the end of June 2024. The current term for Seat #7 is for another year and will expire at the end of June 2023.

The Building Codes Committee recently interviewed a pool of four applicants, two of which have since been appointed to the Planning Commission. The two candidates who were not yet appointed to the Planning Commission include Alfred Bixler and Chauncelynn Locklear.

In addition to the above vacancies, the terms for Seat #2 (Chris Paglialunga) and Seat #5 (Brian Sofield) will be expiring at the end of June. Both Mr. Paglialunga and Mr. Sofield have requested to be reappointed for another term of three years. It is the recommendation of staff that Mr. Paglialunga and Mr. Sofield be reappointed to new terms to begin at the expiration of their current terms.

Motion: Councilman Matney made a motion to send this item to Council and recommend Ms. Locklear be appointed to seat 7 and Mr. Bixler be appointed to seat 6 of the Planning Commission

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and reappoint Mr. Pagilalunga and Mr. Sofield to another term. Councilman Allgood seconded the motion.

Vote: The vote was unanimous (3-0).

7. Public Comment- None

8. Committee Concerns- None

9. Adjourn- Chairwoman Kuzniar adjourned the meeting at 7:37 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk



BUILDING CODES COMMITTEE AGENDA ITEM

MEETING DATE: June 6, 2022

AGENDA ITEM: 5a

TO: Building Codes Committee

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Light Nuisance Standards

BACKGROUND

Earlier this year, staff was asked to examine and explore the opportunity to consider outdoor lighting standards that could address nuisances created by outdoor lighting, particularly in residential neighborhoods.

**** At the May 2, 2022, Building Codes Committee meeting, this item was held in committee and staff was instructed to invite the City Attorney, Daniel Hughes, to attend the next committee meeting to field questions from the committee members.**

CURRENT MAULDIN STANDARDS

Presently, the City of Mauldin has some outdoor lighting standards prescribed in Section 6:3.1 of the Mauldin Zoning Ordinance. These provisions primarily apply to new development and where new outdoor lighting fixtures are installed, except that these provisions do not apply to single-family residential properties even though single-family residential properties may be the cause of glare and light pollution to other single-family properties. Additionally, these provisions do not apply to street lighting installed by a governmental agency.

NEIGHBORING JURISDICTIONS STANDARDS

Most of the other nearby jurisdictions, including Greenville County, the City of Simpsonville, and the City of Greer, have comparable outdoor lighting standards to the City of Mauldin and exempt single-family residential properties from outdoor lighting standards. Only the City of Greenville provides lighting standards that also apply at single-family residential properties.

DRAFT ORDINANCE

The City Attorney has drafted an ordinance that would introduce standards establishing light glare and light trespass as a public nuisance. The ordinance also amends the current nuisance ordinance by assigning the duty of enforcement to the City's code enforcement official instead of the building and zoning director.

Specifically, the draft ordinance declares:

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- Any light glare or light trespass of such character, intensity, or duration which substantially interferes with the public rights of way or with the comfortable enjoyment of persons with ordinary sensibilities occupying, owning, or controlling nearby properties within the jurisdictional limits of the City is hereby declared to be unlawful, constitutes a nuisance, and is prohibited.
- It shall be unlawful for any person to make, continue, or cause to be made or continued any light glare or light trespass as defined herein which disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the jurisdictional limits of the City.

See the attached draft ordinance for the full text of said ordinance.

REQUEST

This draft ordinance is being presented to the Building Codes Committee at this time for review and comment. If the Committee chooses, they may recommend this ordinance to the City Council for review.

ATTACHMENTS

Draft Ordinance



ORDINANCE # _____

AN AMENDMENT TO CHAPTER 18, ARTICLE II (NUISANCES) OF THE MAULDIN CODE OF ORDINANCES TO AUTHORIZE THE CODES ENFORCEMENT OFFICIAL RATHER THAN THE BUILDING AND ZONING DIRECTOR TO ENFORCE CERTAIN PROVISIONS CONTAINED HEREIN AND TO PROVIDE FOR AND ESTABLISH CERTAIN STANDARDS TO PROTECT AGAINST NUISANCES CAUSED BY LIGHT GLARE AND LIGHT TRESPASS AND FOR OTHER MATTERS RELATED THERETO

WHEREAS, the Mauldin City Council at various times reviews the city ordinances to make necessary improvements and/or changes; and,

WHEREAS, the City of Mauldin recognizes the need to protect against nuisances that may impair public health, safety, and general welfare; and,

WHEREAS, the City of Mauldin desires to amend its ordinance to authorize the codes enforcement official rather than then the building and zoning director to take enforce certain provisions contained in Chapter 18, Article II; and,

WHEREAS, the City of Mauldin also desires to amend its ordinance to add “Division 4 – Light Glare and Light Trespass” to protect against light glare and light trespass that may impair the enjoyment of life and constitute a public nuisance; and,

WHEREAS, the City of Mauldin finds that the following amendments to Chapter 18, Article II (Nuisance) promotes the health, safety, and welfare of the citizens and residents of the City of Mauldin.

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof that the Mauldin Municipal Code be amended as follows:

Section 1 Amendment. Amend Chapter 18, Article II, Nuisances, as follows (*language that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged*):

CHAPTER 18 – ENVIRONMENT

ARTICLE II. – NUISANCES



DIVISION 1. – GENERALLY

Section 18-31. – Condition of premises generally.

All persons shall maintain their yards, cellars, drains, stable lots and all other lands owned or occupied by them in the city, whether occupied or vacant, in a clean and healthy condition. It shall be unlawful for the owner or occupant of any premises within the city limits to permit such premises to become filthy, dirty or so filled with rubbish as to emit dangerous or disagreeable odors to the annoyance or discomfort of persons who reside or transact business in that locality or who may pass along any street, lane, ally or sidewalk in the vicinity. Any place so kept or permitted is hereby declared a nuisance, subject to abatement by the ~~building and zoning director~~ code enforcement official or other official designated by the City Administrator.

Section 18-32. – Report of unsanitary conditions to council.

It shall be the duty of the ~~building and zoning director~~ the code enforcement official or other official designated by the City Administrator to report unsanitary conditions of buildings and premises to the City Administrator, who, in turn, shall inform the city council.

Section 18-33. – Prohibited acts.

It shall be unlawful for any person to do any act which offends, endangers, injures or impairs the health, safety or life of any individual. Any such act is hereby declared a public nuisance.

Section 18-34. – Unsanitary, unsightly and unsafe conditions.

- (a) All premises within the city, whether vacant, improved or occupied, shall at all times be kept in a sanitary condition. All damp low places and all garbage, leaves, trash cans, vessels, broken bottles, pieces of metal, china, glass or other materials that may hold water are hereby declared to be a public nuisance. Weeds, grass and other rank vegetation which is allowed to grow, stand uncut upon, or garbage, trash, eroded soil and other debris allowed to accumulate and remain on any lot or allowed to spill into the public right-of-way, so as to render the premises unsightly or unsanitary, are hereby deemed and declared to be a public nuisance and a detriment to health and safety. The occupant or lessee of any such premises and the owner, his agent, representative or employee having control of any vacant premises within the city who shall permit or tolerate the existence of any conditions condemned in this section shall be guilty of a misdemeanor.
- (b) It shall be the duty of any owner and any lessee, occupant, agent or representative of the owner of any lot or parcel of land to cut or cause to be cut all weeds, grass and other rank vegetation and to remove all garbage, trash, eroded soil and other



debris as often as may be necessary to prevent the development of any of the conditions which are prohibited in this section.

Section 18-35. – Conditions affording food or harborage for rats.

- (a) It shall be unlawful for any person to place, leave, dump or permit to accumulate any garbage, rubbish or trash in any building, vehicle and their surrounding areas in the city so that the same shall or may afford food or harborage for rats. Any violation of this section shall constitute a public nuisance.
- (b) It shall be unlawful and constitute a public nuisance for any person to permit to accumulate on any premises, improved or vacant, or on any open lots or alleys in the city, any lumber, boxes, barrels, bricks, stones or similar materials and permit them to remain thereon unless the same 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 rates or violate any other provisions of this article.

Section 18-36. – Abatement.

- (a) The ~~building and zoning director~~ code enforcement official, upon receiving notice of the existence of any condition declared by this article, shall notify the existence of any condition declared by this article, shall notify the person responsible for such condition to clean up his premises and abate such public nuisance within ten days. It shall be sufficient notification to deliver the notice or a copy thereof to the person to whom it is addressed or to deposit a copy of such notice in the United States mail properly stamped and directed to such person at his last known address and post a copy thereof on the premises upon which the public nuisance exists. If service of notice cannot be obtained in either of such methods, notice will be posted in a conspicuous place, for 24 hours, on the premises where the violation has occurred.
- (b) Upon failure of the person to abate the cited public nuisance, as provided for in this section, within ten days after notice, a person violating these provisions of this section shall be deemed guilty of a misdemeanor and punished in accordance with section 1-6.
- (c) The employees or agents of the City may enter upon the premises of the offending person and cause the public nuisance to be removed therefrom. The cost of removing such nuisance shall become a lien upon the land, and such person shall be liable to the city for the costs of removal or abatement in addition to being subject to prosecution for violating this article.

Section 18-37. – Right of entry to abate.



The ~~building and zoning director~~ code enforcement official, together with his subordinates, assistants, workers, employees and agents, shall have the power to enter upon any premises within the City upon which there is suspected to be a public nuisance for the purpose of abating the same. Any person who in any manner hinders or obstructs any authorized officer or representative of the city in the inspecting of any premises within the City limits, in the abatement or removal of any public nuisance, or in the discharge of any duties prescribed in this article or any other ordinance for the prevention or correction of any unsanitary, unsightly, or unsafe condition in the City shall be guilty of a misdemeanor.

DIVISION 4 – LIGHT GLARE AND LIGHT TRESPASS

Section 18-101. – Prohibited Light Glare and Light Trespass, Generally

(a) Any light glare or light trespass of such character, intensity, or duration which substantially interferes with the public rights of way or with the comfortable enjoyment of persons with ordinary sensibilities occupying, owning, or controlling nearby properties within the jurisdictional limits of the city is hereby declared to be unlawful, constitutes a nuisance, and is prohibited.

(b) It shall be unlawful for any person to make, continue, or cause to be made or continued any light glare or light trespass as defined herein which disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the jurisdictional limits of the city.

Section 18-102 – Definitions

(a) "Light Glare" - The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, to cause annoyance, discomfort, or loss of visual performance and visibility.

(b) "Light trespass" - Effects of light that strays from the intended purpose and becomes an annoyance, a nuisance, or a deterrent to visual performance.

(c) "Shielding" - A design feature or a device that is applied to a light to prevent its light output from being visible from selected locations or horizontal and/or vertical angles.

Section 18-103. – Applicability.

(a) The requirements of this section shall apply to all properties within the City with the exception of properties owned by the City of Mauldin and lighting required by SCDOT.



(b) Nonconforming lighting. Lighting in existence as of the effective date of this ordinance shall be considered nonconforming, and therefore, not subject to the requirements of this section; provided, however, lighting that is found to direct light or glare onto rights-of-way and/or residential properties may be declared a public nuisance if the lighting violates the lighting standards specified herein. Such lighting shall be altered to comply with the standards provided herein within thirty (30) days of receipt of a written notice from the City.

Section 18-104. – Specific Standards for Lighting.

(a) No blinking, flashing or fluttering lights or other illuminated device that has a changing light intensity, brightness, or color is permitted in any district except for temporary holiday displays.

(b) Neither the direct nor reflected light from any outdoor light source shall create a hazard to adjacent property or operators of motor vehicles.

(c) Light sources shall be concealed or shielded to the maximum extent feasible to minimize the potential for direct glare and unnecessary diffusion on adjacent property and rights-of-way.

(d) Light fixtures used to illuminate flags, statutes, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam or light that shall not extend beyond the illuminated object.

(e) Light fixtures within residential districts shall be wall-mounted or mounted on wood, concrete, fiberglass, or painted metal poles no higher than 15 feet above finished grade.

(f) Luminaires (regular or flood lamps) 175 watts or less may be used without restriction or shielding to light distribution except that no direct glare shall be perceptible to persons on a public right-of-way or on adjacent property.

(g) Luminaires (regular or flood lamps) between 175 watts and 400 watts shall be, at a minimum, semi-cutoff type. A “semi-cutoff” light is one that is shielded or constructed in such a manner that it emits no more than five percent of its light above the horizontal plane of the fixture, and no more than twenty percent of its light ten degrees below the horizontal plane of the fixture.

(h) Luminaires (regular and flood lamps) in excess of 400 watts shall not emit any direct light above the horizontal plane of the fixture; i.e., it shall be shielding or full-cutoff type. A “full-cutoff” light is one that is shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.



Section 18-105 – Penalties.

Upon the code enforcement official becoming aware of a violation of this code, the codes official shall issue an order directing the owner or contractor to prevent or remedy the violation within thirty (30) days of receipt of the order. In the event the owner or contractor, or their agents or employees continue in violation after notice, the codes official may either seek an injunctive relief through the Greenville County Court of Common Pleas and/or issue a notice of violation. Violation of the provisions of this chapter or failure to comply with any of its requirements shall constitute a misdemeanor. Upon conviction thereof, the person may be fined not more than five hundred dollars or imprisoned for not more than thirty days and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

Section 2. This ordinance shall become effective upon and after its final passage.

Passed on First Reading: _____

Passed on Second Reading: _____

CITY OF MAULDIN, SOUTH CAROLINA

BY: _____
Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

Daniel Hughes, City Attorney