

# RICHLAND COUNTY COUNCIL

## SOUTH CAROLINA

### ORDINANCE REVIEW AD HOC COMMITTEE

March 24, 2015  
2:00 PM  
Administration Conference Room

1. **Call to Order**
2. **Election of Chair**
3. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County [PAGES 2-4]**
4. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (F), Parking of Recreational Vehicles, Boats, and Travel Trailers; so as to add utility trailers [PAGES 5-6]**
5. **Other Business**
6. **Adjournment**



#### Committee Members

Bill Malinowski  
District One

Seth Rose  
District Five

Torrey Rush  
District Seven

Julie-Ann Dixon  
District Nine

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-14HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES; SECTION 18-3, NOISE; SO AS TO LIMIT NOISE IN THE UNINCORPORATED AREAS OF RICHLAND COUNTY.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; is hereby amended to read as follows:

**Sec. 18-3. Noise.**

(a) ~~Except as provided in subsections (b) through (d), below, it~~ shall be unlawful for any individual or commercial business within any residential zone of the unincorporated areas of the county to use or operate any radio, receiving set, musical instrument, phonograph set, television set, or other machine or device for the producing or reproducing of sound, or to create, assist in creating, permit, continue, or permit the continuance of any noise, including without limitation, vehicular noise and heating/air conditioning unit noise, in excess of ~~sixty-two (62)~~ seventy (70) decibels between the hours of 7:00 a.m. and 10:00 p.m. of one day and in excess of ~~fifty-five (55)~~ sixty (60) decibels between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day, when such decibel reading is taken at least one hundred (100) feet from the source of noise or in a manner which is deemed to be excessive by the county sheriff's department. The decibel reading shall be integrated over a period of time not less than sixty (60) seconds. In addition, it shall be unlawful for any individual or commercial business to create noise in a manner which is deemed to be excessive, unreasonably loud, or disturbing; and which endangers or injures the safety or health of humans or animals, or annoys or disturbs a reasonable person of normal sensibilities, or in a manner which is deemed to be excessive by the county sheriff's department. A loud, excessive, or disturbing noise is defined as any sound regulated by this section, which is plainly audible at a distance of one hundred (100) feet from its source.

(b) This section does not apply to industrial, ~~commercial,~~ or manufacturing noise; ~~noise on construction sites; or noise generated from the lawful operation of farm equipment emergency signal devices; material handling by sanitation crews; licensed game hunting on property where it is allowed; refuse compacting vehicles; airport and airplane noise; and sounds emanating from governmental activities.~~ This section shall also not apply to the conduct of agricultural or farming activities; and tree harvesting or clearing; and lawn and yard maintenance activities.

~~(c) Notwithstanding the inclusion of the term "commercial" in subsection (b), above, the unlawful generation of noise as described in section 18-3(a) explicitly applies to nightclubs that sell alcoholic beverages.~~

(c) Noise on construction sites, and lawn and yard maintenance activities, shall occur no earlier than 7:00 a.m. and no later than 10:00 p.m.

(d) Noise from fireworks shall only be allowed Sunday through Thursday between the hours of 8:00 p.m. – 10:00 p.m. on the days Sunday through Thursday. Noise from fireworks shall only be allowed on Friday and Saturday between the hours of 8:00 p.m. – 11:59 p.m. Provided, however, on the days of July 4 and December 31 only, noise from fireworks may extend until 1:00 a.m. of the next day.

~~(e) This section shall be enforced by the county sheriff's department. A deputy sheriff responding to a complaint of excessive noise shall have the discretion to enforce this section by one of two means: After receiving a complaint and upon a finding by a deputy sheriff of a violation (i.e. the noise complained of appears to be excessive or the noise violates the decibel levels set forth in subsection (a) hereof), any offender shall have an opportunity to immediately abate the offending noise without penalty. However, if the violation continues or reoccurs at any time, the deputy may charge the violator with a misdemeanor.~~

~~(1) If the noise complained of appears to be excessive, the deputy may charge the violator with a misdemeanor;~~

~~(2) If the noise violates the decibel levels set forth in subsection (a) hereof, the deputy sheriff responding to a complaint of excessive noise may charge the violator with a misdemeanor.~~

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2014.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Norman Jackson, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2014

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S. Monique McDaniels  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-15HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-173, OFF-STREET PARKING STANDARDS; SUBSECTION (F), PARKING OF RECREATIONAL VEHICLES, BOATS, AND TRAVEL TRAILERS; SO AS TO ADD UTILITY TRAILERS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-173, Off-Street Parking Standards; Subsection (f), Parking of Recreational Vehicles, Boats, and Travel Trailers; is hereby amended to read as follows:

- (f) *Parking of recreational vehicles, boats, and travel and utility trailers.*
- (1) *Travel or camping vehicles:* Not more than one (1) travel or camping vehicle, per family living on the premises, shall be permitted to be parked on a lot in any residential zone. The vehicle shall not be parked in the required front or side yard nor shall any such vehicle be parked or stored in front of the principal structure on a residentially zoned lot. The vehicle shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized recreational vehicle park.
- (2) *Boats or travel or utility trailers:* No boat or travel or utility trailer or shall be stored in any required front or side yard of any residentially zoned property nor shall any boat or travel or utility trailer or be stored or parked in front of a principal structure on a residentially zoned lot.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after \_\_\_\_\_, 2015.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Torrey Rush, Chair

ATTEST THIS THE \_\_\_\_ DAY

OF \_\_\_\_\_, 2015

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S. Monique McDaniels  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Public Hearing:	December 16, 2014
Second Public Hearing:	February 24, 2015 (tentative)
First Reading:	February 24, 2015 (tentative)
Second Reading:	
Third Reading:	