

ARTICLE 9

BUILDINGS AND BUILDING CODES



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Chapter	1	General Provisions
Chapter	2	Failure to Complete Exterior Construction/Public Nuisance



ARTICLE 9

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CHAPTER 1

GENERAL PROVISIONS

Section	9-101	Codes ¹
Section	9-102	Driveway Inspections ²

¹ Amended by Ordinance 2001-7. Effective 9/25/01.

² Created by Ordinance 2001-8. Effective 12/11/01.



ARTICLE 9

BUILDINGS AND BUILDING CODES

CHAPTER 1

GENERAL PROVISIONS

Section 9-101 Codes¹

The codes for the regulation of construction, as adopted and modified by Charleston County, are hereby adopted by reference and declared to be as fully a part of this Ordinance as if set forth herein.

Section 9-102 Driveway Inspections²

As a condition precedent to the issuance of a Certificate of Occupancy, St. John's Fire District shall inspect and approve the driveway access to all structures constructed within the Town of Kiawah Island.

¹ Amended by Ordinance 2001-7. Effective 9/25/01.
² Created by Ordinance 2001-8. Effective 12/11/01.



ARTICLE 9

BUILDINGS AND BUILDING CODES

CHAPTER 2¹

FAILURE TO COMPLETE EXTERIOR CONSTRUCTION/PUBLIC NUISANCE

Section	9-201	Definition of Nuisance
Section	9-202	Duty of Maintenance of Private Property
Section	9-203	Building Permit Extension
Section	9-204	Enforcement of Ordinance and Penalties

¹ Created by Ordinance 2003-9. Effective 11-18-03.



ARTICLE 9

BUILDINGS AND BUILDING CODES

CHAPTER 2¹

FAILURE TO COMPLETE EXTERIOR CONSTRUCTION/PUBLIC NUISANCE

Section 9-201 Definition of Nuisance

For the purposes of this Ordinance, the term "nuisance" is defined as any condition or use of a residential premises or a residential premises exterior which is detrimental to the property of others or which causes or tends to cause substantial diminution in the value of other property in the neighborhood in which such premises are located, or which creates a hazard to persons or to property. This definition includes, but is not limited to, the existence of a residential structure which has not been issued a Certificate of Occupancy within the following time periods after issuance of a building permit:

- (1) For houses under three thousand (3,000) heated square feet: 18 months
- (2) For houses of three thousand (3,000) to five thousand (5,000) heated square feet: 24 months
- (3) For houses over five thousand (5,000) heated square feet: 30 months

Section 9-202 Duty of Maintenance of Private Property

No person owning, leasing, occupying or having charge of any residential premises shall maintain or keep any nuisance thereon, nor shall any such person keep or maintain such premises in a manner causing a nuisance.

Section 9-203 Building Permit Extension

Any person owning, leasing, occupying or having charge of any premises shall have the opportunity to petition the Kiawah Island Planning Director in writing, and if good cause is shown, the Planning Director shall have the authority to extend a building permit for a period of up to an additional six (6) months. Such petition for an extension shall be filed at least thirty (30) days prior to the expiration of the period noted in Section 9-201.

¹ Created by Ordinance 2003-9. Effective 11-18-03.

Section 9-204

Enforcement of Ordinance and Penalties

Enforcement of these sections may be accomplished by the Town of Kiawah Island in any manner authorized by law, and in addition, any person who by reason of another's violation of provision of this Ordinance, suffers special damage to himself different from that suffered by other property owners throughout the Town generally, may bring an action to enjoin or otherwise abate an existing violation. Further, any person owning, leasing, occupying or having charge of any premises found to be a nuisance as defined herein shall be guilty of a misdemeanor and be subject to a penalty of Two Hundred (\$200.00) Dollars per day. Each day of violation shall be considered a separate violation under this Ordinance and subject to an additional daily penalty.