

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 10-

FILED
NEWBERRY COUNTY
2023 NOV - 8 PM 2:18
ELIZABETH P FOLLETT
CLERK OF COURT

AN ORDINANCE ADOPTING THE NEWBERRY COUNTY FIRE PROTECTION AND PREVENTION CODE, PROVIDING FOR PERIODIC INSPECTIONS AND ENFORCEMENT OF THE CODE, AND ESTABLISHING A PROCESS FOR APPEALS AND PENALTIES FOR VIOLATIONS

WHEREAS, the County Council of the County of Newberry desires to establish a fire protection and prevention program to protect public health, safety, property and general welfare within Newberry County, South Carolina; and

WHEREAS, the International Code Council has developed the International Fire Code, which establishes minimum regulations for fire prevention and fire protection systems using prescriptive and performance-related provisions; and

WHEREAS, the State of South Carolina has adopted the International Fire Code, which is administered statewide by the Office of the State Fire Marshall, a division of the South Carolina Department of Labor, Licensing and Regulation (SCLLR); and

WHEREAS, political subdivisions of South Carolina are authorized by the State of South Carolina to adopt, administer, and enforce the International Fire Code within their jurisdiction.

NOW, THEREFORE BE IT ORDAINED by the County Council of the County of Newberry, in Council duly assembled this 1st day of November 2023 that:


1. **Adoption:** This article shall be known as the Newberry County Fire Protection and Prevention Code. The county hereby adopts the International Fire Code and the administrative chapters of the above-listed code, current edition. A file of record of this code is maintained in the Planning and Development Department.
2. **Responsibility for enforcement:** The Fire Marshal or duly designated county official shall be responsible for the enforcement of the Newberry County Fire Protection and Prevention Code.
3. **Inspections:** The enforcing official shall inspect all commercial premises on a periodic basis at reasonable times and shall issue such orders as may be necessary for the enforcement of the Newberry County Fire Protection and Prevention Code and for safekeeping of life and property from fire.
4. **Remedy of dangerous conditions:** Whenever the enforcing official shall find in any building any violations the enforcing official shall provide in writing all violations, date of inspection when the violation was determined, specific orders for abatement or remediation of the violation and a date for completion of the abatement.

5. **Appeals:** An appeal may be requested by the owner of the building where a violation was found. An appeal may be made to the Newberry County Building, Fire and Nuisance Codes Board of Appeals by such person. The Board shall hear any case involving a violation and make rulings on the interpretation of the violation, and timeframe and manner in which the violation is mitigated. The Appeals Board shall not levy fines or penalties on the property owner or amend the standards of this ordinance.
6. **Penalties:** Any person deemed to be in violation of this Ordinance after having received a violation notification with an established timeframe for abatement shall be issued a citation charging such person(s) with a misdemeanor. A guilty plea or judgement by the Newberry County Magistrate's Office shall be punishable by a fine of no more than \$500 unless otherwise noted in this ordinance. Each day such violation continues after due notice to discontinue such violations shall be considered a separate offense. In addition, the Fire Marshal or other appropriate administrative official, may in accord with the provisions of Section 56-7-80 of the South Carolina Code of Laws 1976, as amended, issue an ordinance summons, or institute injunction, mandamus, or take any other appropriate actions or proceedings required to enforce this Ordinance.

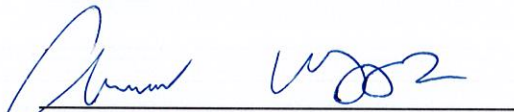
NEWBERRY COUNTY COUNCIL

(SEAL)

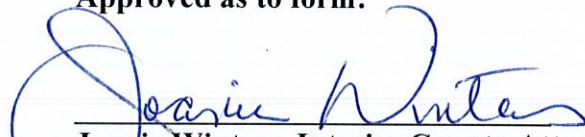
BY:


Todd Johnson, Chairman

ATTEST:


Andrew Wigger, Clerk to Council

Approved as to form:


Joanie Winters, Interim County Attorney


Jeff Shacker, County Administrator

1st Reading: October 4, 2023
2nd Reading: October 18, 2023
Public Hearing: October 18, 2023
3rd Reading: November 1, 2023