

ORDINANCE 2017-10

AN ORDINANCE AMENDING TITLE 6, HEALTH AND SANITATION, CHAPTER 1, GENERAL PROVISIONS, ARTICLE D, REGULATION OF ON-SITE SEWAGE DISPOSAL SYSTEMS, OF THE CITY OF ISLE OF PALMS CODE OF ORDINANCES TO REQUIRE MANDATORY CONNECTION TO PUBLIC SEWER SYSTEM WHERE PUBLIC SEWER LINE IS AVAILABLE UPON THE SALE OR TRANSFER OF PROPERTY.

BE IT ORDAINED AND ENACTED BY THE MAYOR AND COUNCIL MEMBERS OF THE CITY OF ISLE OF PALMS, SOUTH CAROLINA, IN CITY COUNCIL ASSEMBLED:

SECTION 1. That Article D, "Regulation of On-Site Sewage Disposal Systems" is hereby amended to state as follows:

"ARTICLE D. - REGULATION OF NON-PUBLIC WASTEWATER  
DISPOSAL SYSTEMS

Sec. 6-1-40. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Engineered on-site wastewater disposal system* means a specialized on-site wastewater disposal system. See definition for *Specialized on-site wastewater disposal system*.

*Grinder pump system* means a wastewater pump station with pump(s), storage capacity and appurtenant piping, valves and other mechanical and electrical equipment which grinds or reduces the particle size of wastewater solids to yield a sewage slurry and which conveys the wastewater from its source to connect with the public gravity sewer system.

*Immediate family member* means a person's spouse, great-grandparents, grandparents, parents, legal guardian, brothers, sisters, children, grandchildren, great-grandchildren, mothers-in-law, fathers-in-law, sisters-in-law, brothers-in-law, daughters-in-law and sons-in-law.

*Isle of Palms Water and Sewer Commission* means the Commissioners of Public Works of the City of Isle of Palms. Isle of Palms Water and Sewer Commission is the trade name used by the Commissioners of Public Works of the City of Palms organized pursuant to Section 5-31-210 of the Code of Laws of the State of South Carolina.

*On-site wastewater disposal system* means a traditional septic tank system or other on-site wastewater disposal system. This definition also includes engineered or specialized on-site wastewater disposal systems.

*Public sewer line* means a gravity operated sewer line operated and maintained by the Isle of Palms Water and Sewer Commission.

*Public sewer system* means the gravity sewer system operated and maintained by the Isle of Palms Water and Sewer Commission for the disposal of wastewater. This definition does not include on-site wastewater disposal systems or grinder pump systems.

*Septic tank system* means an on-site wastewater treatment system consisting of an underground tank, distribution box and drain field.

*Specialized on-site wastewater disposal system* (also known as *Engineered on-site wastewater disposal system*) means an on-site wastewater disposal system that has been designed by a Registered Professional Engineer licensed in the State of South Carolina. Such systems may be utilized in lieu of traditional septic tank systems when the required engineering design and certification have been approved by the South Carolina Department of Health and Environmental Control (SCDHEC).

*Wastewater* means sewage or a combination of water-carried wastes from residences and business buildings together with such ground, surface and stormwaters as may be present.

Sec. 6-1-41. - New installations.

Any new or replacement on-site wastewater disposal system installed within the City shall be required to include an access manhole built into the lid over each compartment of the tank, and over the outlet end of the septic tank. An appropriate mechanism shall be provided to make the access manholes vandal-, tamper-, and child-resistant.

Sec. 6-1-42. - Mandatory connection to public sewer system upon sale or transfer of property.

At such time as a public sewer line becomes available to a property serviced by an existing on-site wastewater disposal system or grinder pump system, such property shall be connected to the City's public sewer system when the property is sold or otherwise transferred to a new owner; provided, however, that this provision shall not apply to the transfer of property to an immediate family member or by inheritance. Any existing on-site wastewater disposal system or grinder pump system shall be emptied, disposed of, and filled with suitable material in accordance with all applicable local and state regulations. All expenses associated with the mandatory public sewer connection shall be paid by the buyer or transferee of the property. A public sewer line shall be considered available to a property when it is located in a right-of-way or easement abutting any lot line of the property.

Sec. 6-1-43. - Reserved.

Sec. 6-1-44. - Violations; penalties.

Passed First Reading on 10/24/17  
Revised 1/18/18 for Second Reading

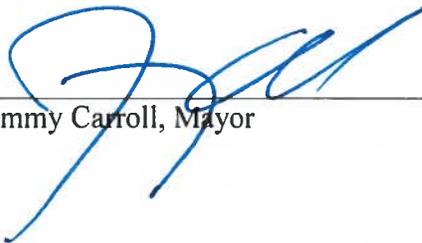
A violation of this article is a misdemeanor punishable pursuant to section 1-3-66. Each day that a violation continues shall constitute a separate offense.”

SECTION 2. That should any part of this Ordinance be held invalid by a Court of competent jurisdiction, the remaining parts shall be severable therefrom and shall continue to be in full force and effect.

SECTION 3. That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as the same affect this Ordinance.

SECTION 4. That this Ordinance take effect and be in full force immediately.

PASSED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF ISLE OF PALMS, ON THE 27 DAY OF August, 2019.

  
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Jimmy Carroll, Mayor



Attest:  
  
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Nicole DeNeane, City Clerk

First Reading: October 24, 2017  
Public Hearing: \_\_\_\_\_  
Second Reading: August 27, 2019  
Ratification: August 27, 2019