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Article I
Unlawful Acts

§ 9-101. Damaging public property.

It shall be unlawful for any person to mutilate, deface or injure public property within the town, a tree, building, water hydrant, water meter, or other property, or to obstruct any street, alleyway, avenue, bridge, ditch or public road within the town.

§ 9-102. Gates opening onto sidewalks.

It shall be unlawful for any person or corporation to maintain a gate on property that can swing across or into a sidewalk or street.

§ 9-103. Games in streets.

No person shall play any games, throw any rock or missiles on any public street.

§ 9-104. Draining rainwater or other liquids onto sidewalks prohibited.

a. It shall be unlawful to build, construct, erect or maintain a structure in a manner that rainwater from the roof, eaves, cornices, gutters, or other part of the structure may flow down a sidewalk.

b. It shall be unlawful for any person to carry water or liquid of any kind, from a building by means of a drainpipe or otherwise, so that a liquid will fall or flow upon any part of a street or sidewalk.

§ 9-105. Throwing dangerous substances on streets prohibited.

It shall be unlawful for any person to throw or place on a streets or sidewalk glass in any form, tin cans, nails, brick, pieces of iron, sticks or any other debris or obstruction.

§ 9-106. Vehicles leaking or scattering load prohibited.

The owner or operator of every vehicle employed in transporting dirt, sawdust, sand, coal, or other materials that can be blown by the wind, or any manure, filth or offensive matter shall keep the vehicle in a secure condition such that the matter will not fall on the streets.

§ 9-107. Vehicles prohibited on sidewalk.

It shall be unlawful for any person to ride, propel or park an automobile, motorcycle or other vehicle upon a sidewalk, except when necessary in entering or leaving the premises.

§ 9-108. Breaking, removing street lights.

It shall be unlawful for any person to break a lamp or electric light or to remove an electric light bulb or to otherwise tamper with a street light.

§ 9-109. Breaking curbing prohibited; permit required for curb cut.

It shall be unlawful for any person to break, deface or destroy the curbing of a street, or to construct an entrance into property on a paved street, without first obtaining a curb cut permit.

§ 9-110. Burning on streets prohibited.

It shall be unlawful to burn leaves or other matter on the streets or sidewalks in the town.

§ 9-111. Obstructions prohibited.

It shall be unlawful for any person to place any obstruction on or cause to be obstructed in any manner a street, sidewalk, or public way or part thereof, so as to render the passage of persons, vehicles, or other travel thereon difficult, inconvenient, dangerous, or impossible except as otherwise provided in this article. This section shall not apply to an employee of the town, county, or state while the employee is engaged in the maintenance, improvement, or construction of a street, sidewalk, or public way in the town.

§ 9-112. Permit required for excavation.

It shall be unlawful for any person to disturb the surface of or make an excavation in a street or sidewalk in the town without a permit from the county engineer's office for county maintained roads, or SCDOT for state maintained roads.

§ 9-113. Unpaved roads prohibited.

No new unpaved roads shall be constructed in the town.

§ 9-114. Easements on county maintained roads.

It shall be unlawful for any person to install utility lines in streets maintained by the county without first obtaining an easement pursuant to Richland County Code § 21-34.

§ 9-115 Fences extending in a more or less parallel line with another fence located beside a state or county maintained road.

In order to promote an attractive appearance of roads and streets in the Town, it shall be unlawful for any person to allow fencing on property under his ownership or control to be kept in a condition where more than one fence stands in a more or less parallel line with another fence located beside a state or county maintained road, or a road that may be owned by the Town. The existence of limited space between parallel fences beside roads makes maintenance of vegetation thereon more difficult

and less likely to be regular. Roadside trash, debris, weeds, or any other substance considered unhealthy or unsightly collects in such space and goes unnoticed and unaddressed by the person owning or in control of the property. (A fence, herein, means a structure used to separate an area from other areas and constructed with materials including, but not limited to, wire or other metals, wood or manmade boards, rails, or brick, stone, or concrete.) Property owners with non-conforming fencing will be given notice by the town clerk and up to 24 months from the notice to comply. After 24 months from enactment of this ordinance a nonconforming fence will be removed by the Town and the property owner(s) liable for the cost. The owner of any fence later added to an existing fence beside a road in town will be given notice of the one fence limit and opportunity to comply. After 30 days from notice the non-conforming fence will be removed by the Town and the property owner(s) will be liable for the cost.

(Ordinance of August 3, 2017)

Article II
County Maintained Roads and Drainage

§ 9-201. Intergovernmental agreement; county standards adopted.

Richland County has, by intergovernmental agreement with the town, undertaken routine maintenance of roads, drainage within road rights-of-way, traffic control signs, street name signs, shoulders, and drainage infrastructure located off road rights-of-way in accordance with Chapter 21 of the Richland County Code. Those definitions, requirements and standards in Richland County Code Chapter 21, Roads, Highways and Bridges, as are applicable to roads maintained by the county in the town, including the following sections, are hereby adopted.

(Richland County Code, 2003, Chapter 21; State law reference: S. C. Code 1976, § 57-17-10)

§ 9-202. Certifications by county engineer required.

a. As a prerequisite for authorization of construction of new developments within the town involving new roads or drainage infrastructure, the town will require review and approval of plans by the county engineer's office.

b. As a prerequisite for issuance of building permits or land disturbance permits for new commercial buildings, the town will require review and approval of site plans by the county engineer's office with regard to erosion control measures, floodplain management requirements, and road access regulations.

c. As a prerequisite to acceptance of maintenance responsibilities for new roads or drainage systems, the town will require a certification from the county engineer that they were constructed in accordance with approved plans and the county's construction specifications.

d. As a prerequisite to issuance of certificates of occupancy for new commercial buildings, the town will require inspection and approval of site improvements related to stormwater management, floodplain management, and road access.

e. The town will submit, or have the developer submit, plans for development and commercial buildings within the town to the county planning department for assessment and collection of applicable subdivision processing fees. The plans will then be forwarded to the county engineer's office for review and approval. (See intergovernmental agreement.)

§ 9-203. Drainage on private property.

a. Drainage improvements and/or maintenance will be undertaken by county forces on private property only:

1. When the drainage system involved has been designed, approved and constructed in accordance with the county's Stormwater Management, Erosion and Sediment Control Ordinance (Chapter 8) and accepted by the county, or
2. When there is a clear and substantial public interest served in doing so and drainage easements are granted to the county on all of the property involved. For the purpose of this section, a public interest is defined as:

- (a) The correction of a serious health hazard, as designated by county or state health officials, affecting multiple residences and beyond the responsibility of an individual property owner.
- (b) The correction of a malfunction or inadequacy of the drainage system within the right-of-way of a publicly maintained street or road.
- (c) The correction of drainage problems associated with projects constructed by the county.
- (d) The maintenance of the structural integrity of the existing drainage infrastructure of the county.
- (e) The improvement of drainage for the benefit of the community. To benefit the community, drainage improvements must eliminate flooding that directly affects a minimum of four (4) residences and/or businesses situated on individual lots or inundates a public road. Note: Correction of minor ditch erosion problems on private property will not be considered a substantial public interest.

b. Easements will be obtained for any existing or proposed drainage facilities on private property before any work is performed thereon by county forces. Easements for maintenance of drainage facilities constructed without the county's approval of plans or inspections will not be accepted unless the property owners hold harmless and release the county from all claims resulting from deficiencies of the facilities.

c. Except where the county has accepted an easement for maintenance of drainage facilities on private property as provided herein, maintenance is the responsibility of the property owner.
(Richland County Code § 21-4)

§ 9-204. Standards for streets and drainage.

a. Except as provided for in § 9-203 above, no drainage systems or streets will be accepted for maintenance by the county that have not been designed and constructed in accordance with the standards prescribed herein.

b. *Streets.* The minimum acceptable street is paved, and the pavement design will be in accordance with the design standards adopted by the county engineer. Provided, however, that an exception may be allowed whenever the county council deems that the variance in design is minimal or of such nature that it will not otherwise pose an undue burden or risk upon the county. Where determined necessary and in the sole discretion of the county council, the county, with the agreement of those property owners served by such roadway, may consent to accept a roadway with special conditions as to any particular non-conforming aspects with regard to county road standards.

c. *Storm drainage.* Drainage systems will be designed in accordance with the county's Stormwater Management, Erosion and Sediment Control Ordinance (Chapter 8) and the design standards adopted by the county engineer.

d. *Specifications.* Materials and construction of streets and drainage systems will be in accordance with the applicable sections of the current edition of the Standard Specifications for Highway Construction published by State Department of Transportation.

e. *Acceptance.* County acceptance of new streets and drainage systems shall be accomplished through the acceptance of easement and right-of-way deeds. The county accepts no responsibility for the streets or drainage system until the deeds are executed by both parties and recorded.

f. *Warranty.* As a prerequisite to the county's acceptance of new streets and drainage systems, the grantor (or an assigned agent thereof) shall provide the county with a bond in an amount equal to the construction cost, with surety and conditions satisfactory to the county, as a warranty for a period

of three (3) years. The warranty shall pertain to the design and construction of the streets and drainage system in accordance with these standards and their satisfactory performance during the warranty period. The warranty period shall commence with the formal acceptance of the roads by the county. The grantor (or an assigned agent thereof) is not responsible for repairing damage done to the roads subsequent to acceptance that was not a result of design or construction failure. The county may accept a bond in any one of the following forms:

1. A surety bond issued by a bonding company licensed to do business in the state; or
2. Escrow funds in an account in the name of the county; or
3. An irrevocable letter of credit issued by a responsible financial institution; or
4. A cash bond.

g. Only those streets and drainage systems located in subdivision developments where individually owned lots front directly on the street rights-of-way will be accepted by the county. This will apply to residential, commercial and industrial subdivisions. Streets and drainage systems serving group developments such as shopping centers, apartment complexes, condominiums and mobile home parks will not be accepted for maintenance by the county.

(Richland County Code § 21-6)

§ 9-205. Driveways.

Driveway connections from the roadway to the right-of-way line will be provided on county maintained roads by the department of public works, subject to the following limitations:

1. Only one (1) driveway connection per residence, and a maximum of two (2) per individual parcel of property, will be provided by the county. The public works department will not install additional driveway connections. Permitted additional driveways will be installed by the property owner meeting county standards.
2. Apron finish will match the finish of the county road to which it is attached.
3. A maximum of twenty-four (24) feet of pipe, not exceeding twenty-four (24) inches in diameter, will be provided by the county. Larger diameter pipe may be installed by the public works department provided the property owner pays the additional costs incurred for materials.
4. Pipe diameter required will be determined by the county engineer.

(Richland County Code § 21-8)

§ 9-206. Street name signs.

a. The department of public works shall erect and maintain street name signs on all public streets within the jurisdiction and authority of the county. Signs will be metal blanks on metal posts fabricated in a standard design established by the director of public works. They will have white reflective lettering a minimum of four (4) inches high on a reflective background. A green background will denote a public road. A blue background will denote a private road.

b. The developer of any new subdivision constructed within the jurisdiction and authority of the county is responsible for the initial installation of street name signs in accordance with an approved signage plan. All street signs shall comply with the county's design standard for retro-reflectivity.

c. The department of public works may erect street name signs at the intersections of private streets with public streets, at no cost to the residents, when there are residences with addresses on that private street.

d. Overhead signs may be installed at selected intersections at the discretion of the Director of Public Works.

e. In conjunction with subsection (a) above, the county standard for street name signs shall be included in published road design standards developed by the county engineer. The standard shall address sign material, installation, visibility, and color. The department of public works shall maintain street name signs to the county standard after acceptance of the streets.

(Richland County Code § 21-10)

§ 9-207. Traffic engineering.

a. Traffic engineering on county maintained highways, streets and roads shall be in accordance with the South Carolina Manual on Uniform Traffic Control Devices.

b. Traffic control signs on county maintained highways, streets and roads shall comply with the standards contained in the South Carolina Manual on Uniform Traffic Control Devices.

c. The developer of any new subdivision constructed within the jurisdiction and authority of the county is responsible for the initial installation of all necessary traffic control signs in accordance with an approved signage plan. The department of public works shall maintain the signs after acceptance of the streets.

d. Speed bumps, humps or tables are not recognized in the South Carolina Manual on Uniform Traffic Control Devices as devices for controlling speed and will, therefore, not be installed or permitted on county maintained highways, streets or roads.

(Richland County Code § 21-11)

§ 9-208. Encroachments on county maintained roads.

a. *Generally.*

1. An encroachment permit, approved by the county engineer's office, shall be required for all construction, undertaken by parties other than the county public works department or it's authorized contractor, within or affecting the right-of-way of any county maintained highway, street or road. This requirement shall apply, but not be limited, to:

- (a) Driveway connections involving a curb cut or pipe installation;
- (b) Curb cuts;
- (c) Utility taps;
- (d) Utility installations;
- (e) Excavations within rights-of-way;
- (f) Storm drainage installation;
- (g) Storm drainage discharge; and
- (h) Subdivision entrance signs or gateways.

2. The permittee shall indemnify the county for any liability incurred or damages sustained as a result of the encroachment.

3. The permittee shall be responsible for:

- (a) Notifying the county engineer's office when construction begins on an encroachment;
- (b) Ensuring that a copy of the encroachment permit is on the construction site; and
- (c) Ensuring that the construction and the restoration of the roadway have been approved by the county engineer's office.

b. *Excavations in streets.*

1. An encroachment permit shall be required for each excavation in a county road before the work is commenced. Work under such permit shall be commenced within the time specified on the permit, otherwise the permit shall become void. All permits shall be kept at the place of excavation while the work is being done and exhibited whenever called for by any person having the authority to examine the same. There shall be no more than one-half (1/2) the width of any street or alley opened or obstructed at any one time; tunneling may be allowed, provided that no authorized underground construction shall be damaged or interfered with. All portions of the street excavated shall be put in as good condition as before the excavation, was made. The trench or excavation shall be refilled, thoroughly rammed and puddled within the time specified on the permit after making the connection or repairs. When an excavation is made in any paved county road where it is necessary to remove paving, the person to whom the permit was issued for such excavation shall leave a written notice with the county department of public works and such notice shall state that the excavation has been properly filled, tamped, and is ready for repaving. Whenever any person making any excavations in the street or alley fails to refill, in the proper manner, as required by this section or fails to maintain the same for a period of one year, then the county council shall cause the work to be done and the cost thereof shall be charged against the bond posted.

2. Where such excavations occur in a state or federal highway, permission shall be obtained from the state or federal highway department before any work is commenced.

3. Public protection requirement.

(a) It is hereby required that for every excavation made on public property, proper safeguards shall be provided against injury to the public; barricades shall be provided at five (5) foot distances, and such barricades shall completely encircle all open excavations or trenches. All barricades, as required by this section, shall have at least one sign placed thereon in a conspicuous manner, indicating the name of the person causing such excavation. When approved, steel plates of sufficient strength may be used to cover excavation to prevent blocking of street.

(b) From sunup to sundown there shall be placed, at a distance of not less than one hundred (100) feet, sufficient numbers of red flags to warn the public of dangerous excavation. From sunset to sunrise there shall be placed, at a distance of not less than one hundred (100) feet, sufficient red lights or flambeaux to indicate the length of the excavation in the public thoroughfare and to warn the public of dangerous excavation; in addition, there shall be placed on or by the barricades sufficient red lights or flambeaux to indicate the point of excavation and size.

c. Anyone who encroaches on the right-of-way of a county maintained highway, street or road without securing an encroachment permit or who fails to adequately restore the road and right-of-way after an encroachment shall be deemed guilty of a misdemeanor, and shall be subject to the general penalty provisions of this code. Each day that the unauthorized encroachment exists, or that the inadequacy exists following notification, shall be considered a separate offense.

(Richland County Code § 21-24)