

TOWN OF BRIARCLIFFE ACRES)
)
SOUTH CAROLINA)

ORDINANCE NO. 2011-07
1st Reading _____
2nd Reading _____

AN ORDINANCE TO AMEND CHAPTER 16 OFFENSES AND MISCELLANEOUS PROVISIONS OF THE CODE OF THE TOWN OF BRIARCLIFFE ACRES, SOUTH CAROLINA TO AMEND PROVISIONS REGARDING LITTERING WITHIN THE TOWN LIMITS.

WHEREAS, the Town of Briarcliffe Acres Code Chapter 16 Offenses and Miscellaneous Provisions needs to be amended to address issue of littering within the Town; and

WHEREAS, there has been determined to be an issue with placing yard debris on public property;

WHEREAS, the Town of Briarcliffe Acres already has some regulations in regard to the placement of yard debris;

WHEREAS, the Town of Briarcliffe Acres Council believes it is in the best interest of the town to amend this ordinance;

NOW THEREFORE by the power and authority granted to the Town of Briarcliffe Acres by the Constitution of the State of South Carolina and the powers granted to the Town by the General Assembly of the State, it is ordained and enacted:

1. **That the Code of the Town of Briarcliffe Acres, South Carolina, is hereby amended to read as follows:**

ADDITIONS ARE UNDERLINED AND DELETIONS ARE SHOWN AS STRIKE-THRU:

Sec 16-1 Littering.

Any person throwing, depositing or disposing of trash, garbage or other litter or yard debris on ~~the~~ any road right-of-way, C.P. Sons, ~~or~~ the beach or any other publicly owned and/or maintained property, shall be guilty of a misdemeanor, and upon conviction shall be fined for each such offense. Construction workers on a building site in the town shall use the container provided for disposal of trash or else be guilty of an offense.

2. **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
3. **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a

preceding Ordinance of the Town of Briarcliffe Acres, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.

4. **Effective Date**: This Ordinance shall become effective on Second Reading.

AND IT IS SO ORDAINED, ENACTED AND ORDERED.

Dated this _____ day of _____, 2011.

Mayor

Council:

Attest:

Town Clerk

