

FOOTNOTE(S):

--- (8) ---

Cross reference— Buildings and building regulations, ch. 10.

State Law reference— Junkyard Control Act, S.C. Code 1976, § 57-27-10 et seq.

Sec. 42-176. - Title.

This division shall be known as the Junkyard and Open Space Storage Ordinance of Anderson County, South Carolina.

(Ord. No. 150, § I-1, 12-4-84; Ord. No. 243, § I-1, 2-16-88)

Sec. 42-177. - Authority.

This division is adopted pursuant to the authority conferred by the South Carolina Code of Laws upon the county. The regulatory compliance officer shall have the authority to interpret and enforce this division.

(Ord. No. 150, § I-2, 12-4-84; Ord. No. 243, § I-2, 2-16-88)

Sec. 42-178. - Purpose.

The purpose of this division is to provide enforcement of existing and proposed junkyards and open storage areas with development standards for controlling the development and use of junkyards and open storage areas so that such uses can be established and operated in the county without constituting a hazard to the health and welfare of the people of the county inclusive of attracting vermin, disease, public nuisance, fire hazard, blight, or adversely effecting environmental conditions.

(Ord. No. 150, § I-3, 12-4-84; Ord. No. 243, § I-3, 2-16-88)

Sec. 42-179. - Applicability.

No junkyard or open storage area shall be established, erected, placed, located or expanded in size or in scope of operation in the unincorporated areas of the county without first meeting the minimum requirements of this division. The application of this division shall extend to new junkyards and open storage areas in the county, as well as the expansion of existing ones.

(Ord. No. 150, § I-4, 12-4-84; Ord. No. 243, § I-4, 2-16-88)

junk, except for temporary operations or outdoor storage of 90 days or less.

Use means any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.

Use, accessory means a use located on the same lot with a principal use, and clearly incidental or subordinate to and customary in connection with the principal use.

Use, nonconforming means the use of land or a building or portion thereof which does not conform with the regulations of this division.

Use, principal means the main or primary use on a lot.

Visual screen means a static barrier which restrains and/or shields from view a specified object or objects. For purposes of this division such objects refers to junk or junkyards.

Wall means a structure forming a physical barrier which is so constructed that no less than 50 percent of the vertical surface is open to permit the transmission of light, air and vision through such surface in a horizontal plane.

(Ord. No. 150, § I-5, 12-4-84; Ord. No. 211, § 2, 10-24-86; Ord. No. 243, § I-5, 2-16-88)

Cross reference— Definitions generally, § 1-2.

Sec. 42-181. - Minimum standards generally.

The development standards set out in this division shall be considered minimum standards.

(Ord. No. 150, § II-1, 12-4-84; Ord. No. 211, § 3, 10-24-86; Ord. No. 289, § II-1, 9-19-89)

Sec. 42-182. - Location.

Junkyards and open storage areas shall be permitted to be located no closer than 1,000 feet from the nearest edge of the right-of-way of any state or federal system highway. Junkyards and open storage areas shall be permitted to be located no closer than 1,000 feet from the nearest edge of the right-of-way of any county, private or other road. Junkyards and open storage areas must be located or screened so as not to be visible from the main traveled way. Junkyards and open storage areas shall be permitted to be located no closer than 1,000 feet from the nearest residence.

(Ord. No. 150, § II-1, 12-4-84; Ord. No. 211, § 3, 10-24-86; Ord. No. 289, § II-1, 9-19-89)

Sec. 42-183. - Size.

Sec. 42-187. - Continuation requirements.

Nonconforming junkyards and open storage areas—those not meeting the minimum requirements of this division and subsequently operating without a permit as required in section 42-190—are hereby declared to be in violation of this division. However, to avoid undue hardship on the owners and/or operators, the lawful use of any land or buildings at the time of enactment of the ordinance from which this division derives may be continued even though such use or uses do not conform with the provisions of this division, provided:

- (1) Such nonconforming uses are not reestablished after discontinuance or abandonment for a period of 90 days.
- (2) Such nonconforming uses are not enlarged or altered in any way which increases their nonconformity.

(Ord. No. 150, § III-1, 12-4-84; Ord. No. 243, § III-1, 2-16-88)

Sec. 42-188. - Basis for revoking license.

A licensed nonconforming junkyard shall have its license revoked, after which it shall be treated as a new junkyard at a new location, if any of the following occurs:

- (1) Use of the nonconforming junkyard is voluntarily discontinued or a change of the nonconforming use to some other kind of use is made, which shall constitute abandonment.
- (2) The location of the nonconforming junkyard is changed as a result of a right-of-way taking or for any other reason.
- (3) The nonconforming junkyard is extended or enlarged at its present location without conforming to sections 42-182 through 42-187.

(Ord. No. 150, § III-2, 12-4-84)

Sec. 42-189. - Permits.

- (a) No junkyard or open storage area shall be located on an individual lot, parcel or site in the county without a permit therefor issued by the county litter control department. The regulatory compliance officer will conduct an on-site inspection of the proposed junkyard upon a request for a permit.
- (b) A state permit shall also be required for any junkyard or open storage area located on any

any other provisions of this division, such an order shall be effective immediately. Any person to whom such an order is directed shall comply therewith immediately.

(Ord. No. 150, § IV-6, 12-4-84; Ord. No. 211, § 1, 10-24-86; Ord. No. 243, § IV-6, 2-16-88; Ord. No. 248, § IV-6, 5-17-88)

Sec. 42-193. - Amendments.

From time to time this division may be amended by the county council after holding a public hearing thereon, the time and place of which shall be duly advertised in a newspaper of general circulation in the county at least 15 days prior to the hearing; provided, however, that no amendment shall become effective unless it has been submitted to the land use office for review and recommendation. The land use office shall have 30 days within which to submit its report; provided, however, that the county council may waive this requirement and grant an extension of time. If the land use office fails to submit a report within the specified time, it shall be deemed to have approved the amendment.

(Ord. No. 150, § V-1, 12-4-84; Ord. No. 211, § 1, 10-24-86)

Secs. 42-194—42-210. - Reserved.