

Town Of Briarcliffe Acres

Ordinance #2020.04
1st Reading 05.18.2020
2nd Reading 06.15.2020

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
TOWN OF BRIARCLIFFE ACRES) **An Ordinance to amend Ordinance #2014-09**
) **Sec. 1 - 14 Summons for parking violation**

Sec. 1-14. - Ordinance summons and particulars of use with respect to enforcement of certain town ordinances.

- (a) There shall be made available to the town departments listed below an ordinance summons that complies with the requirements of S.C. Code Ann. Section 56-7-80 (S.C. Code of Laws (1976, as amended)), and that shall be available for use for violations of either criminal or civil ordinances.

The following departments shall have an ordinance summons made available to them:

- (1) Town police department.
 - (2) Town code enforcement office.
 - (3) Town zoning administrator.
- (b) The term "officer," for the purposes of this section, refers to any town employee who has been authorized to issue an ordinance summons under the terms of this section.
- (c) The form of the ordinance summons for each department or division shall be uniform, and designed in accordance with S.C. Code Ann. Section 56-7-80.
- (d) The town clerk shall be responsible for having the summons books printed, issuing blank summons books to authorized individuals, and keeping a record of the summons forms assigned to any individual.
- (e) Any officer issuing an ordinance summons shall be responsible for forwarding the copy of the summons labeled "court copy" to the appropriate judicial officer within five business days. It shall also be the issuing officer's responsibility to keep the copy of the summons labeled "officer copy" until the scheduled hearing. The court date or hearing date shall be set for not less than ten days after the defendant, respondent, their agent, or their attorney is served with the summons. Within five business days after all judicial action concerning the summons has been concluded, the issuing officer shall turn the "officer copy" of the summons in to the internal auditor.
- (f) The town clerk shall be responsible for keeping the summons forms which have been turned in by officers in a manner which will allow for an annual audit of the summons forms.
- (g) The penalty for violation of any town ordinance charged by a summons issued under this section shall be as set forth in the particular ordinance violated; however, where no specific penalty is provided therefore, the penalty shall be as set forth in section 1-5 of this Code.
- (h) The ordinance summons does not preclude the use of any other legal process including the uniform traffic ticket, courtesy summons warrant, arrest warrant, "stop work" order, suits at law or in equity, and or any other legal process or procedure for an alleged violation of a town ordinance.
- (i) The town police department may use a town, county, or state parking violation summons for vehicles parked in violation of state law or a town ordinance. The parking violation summons may be placed on the vehicle or given to the driver or vehicle owner.

/s/ Huston Huffman

Mayor

Council:

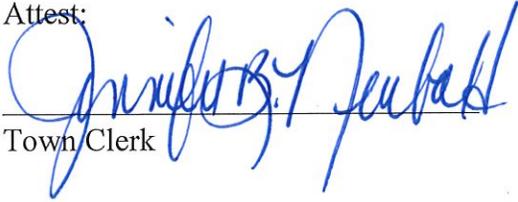
/s/ Margaret Bell

/s/ David Buonviri

/s/ Brian Palliser

/s/ John Wylie

Attest:



Town Clerk