

- ORDINANCE NO: 18-04 Ordinance Amending Ordinance No 15-03 Regulating Activities within the Project Boundary of Lake Greenwood
- RESOLUTION NO: 05-04 Resolution Restricting Activities within Shoreline Protection Zones after February 21, 2002.
- RESOLUTION NO: 17-04 Resolution Establishing Procedures Allowing Restrictive Covenants for a Subdivision to be applied to that portion of Lake Greenwood which adjoins property within that Subdivision and to Provide for the Enforcement thereof.
- RESOLUTION NO: 23-04 Resolution Establishing Regulations for Encroachments Constructed on Lake Greenwood
- RESOLUTION NO: 24-05 Resolution Implementing Regulations Enforcing the Provisions Prohibiting the Discharge of Sewage into Lake Greenwood
- RESOLUTION NO: 01-06 Resolution Establishing Regulations for Mechanical Devices or Automated Machinery Operated within the Project Boundary of Lake Greenwood



GREENWOOD COUNTY, SOUTH CAROLINA  
GREENWOOD COUNTY COUNCIL  
ORDINANCE NO: 18-04

***Ordinance Amending Ordinance No 15-03  
Regulating Activities within the Project Boundary of Lake Greenwood***

In accordance with requirements of the Federal Energy Regulatory Commission, in connection with the license granted to Greenwood County to operate the Buzzards Roost Hydroelectric Project (“Lake Greenwood”), pursuant to all laws of the State of South Carolina related thereto, and also in its capacity as the owner of all lands within the project boundary of Lake Greenwood, the following is ordained by the Greenwood County Council:

Section 1: Except as provided herein, this ordinance amends and supersedes Ordinance No 15-03 and all resolutions passed pursuant thereto.

Section 2: Any reference in this instrument to the singular shall include the plural and vice versa. Any reference to one gender shall include the others including the neuter.

Section 3: Declaration of Policy: Any use of Lake Greenwood is strictly by permission of Greenwood County. Nothing in this ordinance, or in any resolution implementing this ordinance, shall create any vested rights in any person or entity. All permissions granted by Greenwood County shall be subject to modification from time to time at the sole discretion of Greenwood County. Any ambiguity in a permission granted by Greenwood County shall be conclusively resolved by Greenwood County, and the interpretation by Greenwood County of such permissions shall be binding on all parties. In the event of conflicting permissions, the more restrictive shall control.

Section 4: Unlawful activities

- a. Except as specifically allowed by Greenwood County in a written land use agreement (“permit”), it shall be unlawful for any person or entity to:
  - i. Construct, install, repair, maintain or use any pier, dock, retaining wall, boat ramp, or other object or structure (herein “encroachment”) affixed within the project boundary of Lake Greenwood.
  - ii. Access Lake Greenwood from any privately owned property if one or more encroachments, which are prohibited by this ordinance or by resolutions implementing this ordinance, are attached to such property.

- iii. Excavate, dredge or fill any area within the project boundary of Lake Greenwood.
- iv. Withdraw water from the project boundary of Lake Greenwood.
- v. Discharge sewage into the project boundary of Lake Greenwood.
- vi. Disturb any habitat area within any Shoreline Protection Zone established by Greenwood County.
- vii. Use or occupy any portion of Lake Greenwood for any purpose.

Section 5: Land Use Agreements (Permits):

- a. No encroachment shall be constructed, repaired, replaced, maintained or used within the project boundary of Lake Greenwood unless the owner of the property to which the encroachment is attached (or is to be attached) has entered into a written land use agreement (“permit”) with Greenwood County specifically allowing that activity.
- b. The County Manager shall have the authority to revoke any permit if a permitted encroachment is determined to be in violation of any provision of this ordinance, or any resolution implementing this ordinance, including subsequent revisions thereto.
- c. The County Manager shall have the authority to require that a permit be amended if circumstances arise that, in his judgment, make such an amendment desirable to Greenwood County. If the holder of the permit refuses to enter into an amended permit, the County Manager shall revoke the existing permit.
- d. Unless sooner revoked or amended, a permit shall remain valid as long as the person or entity to whom a permit was issued is the record owner of the property and for sixty (60) days after ownership of the property changes. Within sixty (60) days after any transfer of ownership, the new owner shall be required to obtain a new permit from Greenwood County, and upon his failure to do so, any existing permits shall be considered revoked.
- e. When applying for a permit, an applicant shall submit the following information:
  - i. The address of the property to which the proposed encroachment will be attached.
  - ii. The tax map number assigned to the property by the assessor in the county in which the property is located.
  - iii. A plat or sketch showing the shape of the property.

- iv. A diagram showing the location and configuration of each proposed or existing encroachment.
  - v. A list of the materials which the applicant proposes to use or which has been used in the construction of each encroachment.
  - vi. Such additional information as Greenwood County may request.
- f. Before issuing a permit,
- i. Greenwood County may require that the applicant allow an on-site inspection of the property.
  - ii. Greenwood County may require the applicant to provide documentation acceptable to Greenwood County of the current location of the 440 and 439 contour lines relative to the property.
- g. Greenwood County Council may alter the required contents of an application by resolution.

Section 6: Permissions granted by this ordinance

- a. Any person accessing Lake Greenwood from a public area adjoining the project boundary of Lake Greenwood, which has been designated by Greenwood County for general public use and access, shall be entitled to use and enjoy Lake Greenwood to the fullest extent allowed by state or federal law.
  - i. Any person claiming to have accessed Lake Greenwood from a public area designated for general public use and access shall have the burden of proving actual access from one of those areas.
- b. Any person accessing Lake Greenwood from privately owned property which adjoins the project boundary of Lake Greenwood, who does so with the permission of the owner of such private property, shall be entitled to use and enjoy Lake Greenwood to the fullest extent allowed by state or federal law, as long as all encroachments attached to such property comply with the provisions of this ordinance and any resolutions implementing the terms of this ordinance.
  - i. Any person claiming to have accessed Lake Greenwood from a privately owned property shall have the burden of proving actual access from a qualifying privately owned property.
- c. Any person or entity owning property which fronts on Lake Greenwood, that is used solely for residential purposes, may withdraw water from the project boundary to provide irrigation to the lawn, trees and plants located on such property so long as the property does not discharge unreasonable amounts of herbicide or fertilizer into the project boundary.

## Section 7: Reaffirmation of prior resolutions

- a. The provisions of Resolution No 17-04 allowing restrictive covenants for a subdivision fronting on Lake Greenwood to be applied to that portion of Lake Greenwood which adjoins property within that subdivision, as the same may be amended by resolution of the Greenwood County Council from time to time, are incorporated by reference.
- b. The provisions of Resolution No 05-04 restricting activities within Shoreline Protection Zones, as the same may be amended by resolution of the Greenwood County Council from time to time, are incorporated by reference as to encroachments which existed on the date maps entitled "Critical Habitat Inventory- Buzzards Roost Project dated November 2002" were prepared.

## Section 8: Procedures for Granting Additional Permissions

- a. The County Council shall by resolution(s) establish the procedures, terms, conditions and fees, if any, for
  - i. Obtaining permission from Greenwood County to construct, install, repair, maintain or use encroachments within, excavate, dredge or fill any area within, withdraw water from the project boundary of Lake Greenwood or to disturb any habitat areas located within Shoreline Protection Zones established by Greenwood County or to use Lake Greenwood in excess of the general permissions granted above, regardless of whether or not such activity occurred or existed prior to the adoption of this ordinance.
  - ii. Maintaining and renewing such permissions from Greenwood County.

## Section 9: Identification and Registration of Existing Activities and Uses

- a. With regard to encroachments existing prior to the date of this ordinance, the owner of every parcel to which an encroachment is attached, shall identify and register each item with Greenwood County by March 1, 2005. The registration and identification shall include
  - i. The name and mailing address of each owner.
  - ii. The address of the property to which the proposed encroachment will be attached.
  - iii. The tax map number assigned to the property by the county assessor in which the property is located.
  - iv. A plat or sketch showing the shape of the property.

- v. A diagram showing the location and configuration of each existing encroachment.
  - vi. A list of the materials used in the construction of the encroachment.
  - vii. Such additional information as Greenwood County may request.
- b. The date for complying with this provision may be extended by resolution of the Greenwood County Council.
  - c. Any encroachment not registered as of the date established by this ordinance, or as extended by the Greenwood County Council, shall be deemed abandoned by the owner thereof and shall become the sole and exclusive property of Greenwood County, and shall be subject to removal by Greenwood County without compensation to the owners thereof. In addition, it shall thereafter be unlawful for any person to use or occupy such item without the express written permission of Greenwood County.
  - d. If any person intentionally falsifies a registration required in this section, the County Manager shall have the authority to bar that person from receiving a permit for an encroachment for such period of time as he deems appropriate.

#### Section 10: Penalties, Civil Actions; Civil Fines

- a. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined up to the maximum amount which is within the jurisdiction of court hearing the case to impose.
  - i. In addition, the sentencing judge shall impose a civil fine for the benefit of Greenwood County in an amount not less than \$2,500.00 nor more than the maximum amount which is within the jurisdiction of magistrate courts in civil cases, no portion of which may be suspended without the consent of the Greenwood County Manager, or his designee. If the sentencing judge does not impose the civil fine as set forth above, the provisions set forth in subparagraph b shall apply as if the criminal case had been a civil action concluded in favor of Greenwood County.
  - ii. The judgment awarding the civil fine may be enrolled in the various Offices of the Clerks of Court in the same manner as permitted by law for judgments issued in Magistrate Court generally, and the judgment may thereafter be enforced in the same manner provided by state law for the enforcement of judgments.
- b. In addition to or as an alternative to criminal prosecution, the County Manager is authorized to prosecute civil actions in any court of competent jurisdiction to enforce compliance with the provisions of this ordinance and/or to recover damages for violations thereof.

- i. If a civil action brought as a result of an alleged violation of this ordinance is concluded in favor of Greenwood County, all permits for the property to which any encroachment violating this ordinance was attached (the “offending property”) shall be revoked, and permits for existing or future encroachments shall be denied until the owner thereof pays a civil fine to Greenwood County in an amount to be determined by the County Manager.
- ii. The County Manager shall file a notice in the public records in the county in which the offending property is located, to be indexed in the name of the owner of the offending property, to give notice to future purchasers thereof that the offending property is not eligible for permits for existing or future encroachments until the fine is paid.
- c. Each day a violation exists or a prohibited activity occurs shall be a separate offense.

Section 11: All prior ordinances, regulations, and guidelines affecting Lake Greenwood shall remain in full force and effect unless and until superseded by this ordinance or by a resolution adopted by the County Council pursuant to the authority of this ordinance.

Section 12: If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this ordinance is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this ordinance, the County Council hereby declaring that it would have passed this ordinance, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

Section 13: This ordinance shall be effective upon adoption of third reading.

DONE AND PASSED THIS 17th day of August, 2004.

GREENWOOD COUNTY COUNCIL

Attest: James N. Kier  
James N. Kier, County Manager

BY: Robbie Templeton  
Robbie Templeton, Chairman

First Reading: 7-6-2004  
Second Reading: 7-20-2004  
Public Hearing: 8-17-2004  
Third Reading: 8-17-2004



GREENWOOD COUNTY, SOUTH CAROLINA  
GREENWOOD COUNTY COUNCIL  
RESOLUTION NO: 05-04

***Resolution Restricting Activities within Shoreline Protection Zones  
after February 21, 2002.***

WHEREAS the Greenwood County Council created the following Shoreline Protection Zones by action taken in a public meeting on November 19, 2002:

- a. Environmental Protection Zone;
- b. Natural Areas Protection Zone;
- c. Impact Minimization Protection Zone; and
- d. Woody Debris Protection Zone.

WHEREAS Greenwood County Council had previously commissioned a series of aerial photographs of the lake and performed visual inspections of areas of the lake in order to document the existing state of the shoreline as of February 21, 2002, and

WHEREAS Greenwood County prepared maps entitled "Critical Habitat Inventory - Buzzards Roost Project" dated November 2002 designating which areas of the shoreline were located within the Shoreline Protection Zones, and

WHEREAS the County Council subsequently adopted Ordinance No 15-03, entitled "Ordinance Regulating Activities Within the Project Boundary of Lake Greenwood", which provided for the County Council to implement regulations by resolution,

NOW THEREFORE, pursuant to Ordinance No 15-03, the County Council hereby implements the following regulations to protect the areas of shoreline within the Shoreline Protection Zones:

Section 1: No construction, excavation or shoreline stabilization is allowed within any of the Shoreline Protection Zones as shown on the maps entitled "Critical Habitat Inventory - Buzzards Roost Project" dated November 2002, except as set forth in this resolution.

Section 2: Environmental Protection Zone. For every 200 feet of shoreline, one pier having a width of 4 feet may be permitted by Greenwood County as a docking point for nearby residential properties. The permits shall require that the users enter into a contract with Greenwood County to protect, establish, replace or enhance the vegetative boundary along their properties as a condition of maintaining the pier. In addition, the permit shall prohibit a pier from being located closer than 200 feet from any point of confluence.

Section 3: Natural Areas Protection Zone.

- a. Shoreline stabilization using rip-rap may be permitted on a case by case basis in areas where the adjacent property outside of the project boundary has a natural grade of 10% or more approaching the shoreline and has an erosional scarp with a height in excess of 3 feet.
- b. For every 200 feet of shoreline, one pier having a width of 4 feet may be permitted by Greenwood County as a docking point for nearby residential properties. The permits shall require that the users enter into a contract with Greenwood County to protect, establish, replace or enhance the vegetative boundary along their properties as a condition of maintaining the pier. In addition, the permit shall prohibit a pier from being located closer than 200 feet from any point of confluence.

Section 4: Impact Minimization Protection Zone.

- a. Piers and Docks: Piers and Docks may be permitted in accordance with residential encroachment regulations.
- b. Retaining Walls: Retaining walls may be permitted in accordance with residential encroachment regulations
- c. Boat Ramps: Each Impact Minimization Protection Zone shall be divided into increments of 200 linear feet beginning at the point farthest from the dam. One boat ramp may be permitted within each 200 foot increment. The permit shall require the applicant to share the ramp with every other property owner whose property fronts on the lake within that 200 foot increment. In determining the boundaries of each 200 foot increment, the point of beginning shall be the point at the end of the Impact Minimization Protection Zone farthest from the dam.

Section 5: Woody Debris Protection Zone. Construction and shoreline stabilization may be permitted so long as those portions of fallen trees having diameters greater than 10 inches which extend into the lake bed beyond the 439 contour line are not disturbed.

Section 6: Sections 2 through 5 shall become effective when the Shoreline Management Plan is approved by the Federal Energy Regulatory Commission.

Section 7: All prior resolutions adopted pursuant to this ordinance shall remain in full force and effect unless contradicted or repealed by this resolution.

DONE AND PASSED: January 20, 2004.

GREENWOOD COUNTY COUNCIL

Attest: James N. Kier  
James N. Kier, County Manager

BY: Robbie Templeton  
Robbie Templeton, Chairman



GREENWOOD COUNTY, SOUTH CAROLINA  
GREENWOOD COUNTY COUNCIL  
RESOLUTION NO: 17-04

***Resolution Establishing Procedures Allowing Restrictive Covenants for a Subdivision to be applied to that portion of Lake Greenwood which adjoins property within that Subdivision and to Provide for the Enforcement thereof.***

Pursuant to Ordinance No 15-03, entitled “Ordinance Regulating Activities Within the Project Boundary of Lake Greenwood”, the Greenwood County Council hereby implements the following regulations:

Section 1: Restrictive Covenants

- a. The governing body of the homeowners association for a subdivision or neighborhood located on Lake Greenwood, which has restrictive covenants which more strictly regulate encroachments into the project boundary of Lake Greenwood from lots that are subject to the restrictive covenants, may petition the County Council to adopt the more restrictive provisions as additional regulations affecting the lots within that subdivision or neighborhood.
- b. Enforcement of the more restrictive provisions shall be by civil action brought against the offending lot owners by either the governing body of the subdivision or neighborhood or by any aggrieved person owning property in the subdivision or neighborhood subject to the restrictive covenants.

Section 2: All prior resolutions adopted pursuant to this ordinance shall remain in full force and effect unless contradicted or repealed by this resolution.

DONE AND PASSED: June 1, 2004.

GREENWOOD COUNTY COUNCIL

Attest: James N. Kier  
James N. Kier, County Manager

BY: Robbie Templeton  
Robbie Templeton, Chairman



GREENWOOD COUNTY, SOUTH CAROLINA  
GREENWOOD COUNTY COUNCIL  
RESOLUTION NO: 23-04

## ***Resolution Establishing Regulations for Encroachments Constructed on Lake Greenwood***

Pursuant to Ordinance No 18-04 entitled “Ordinance Amending Ordinance No 15-03 Regulating Activities Within the Project Boundary of Lake Greenwood”, the County Council hereby implements the following regulations:

Section 1: Docks and Piers. Permits issued for docks and piers shall contain the provisions set forth in this section.

- a. Proximity to Boundary Lines of Adjacent Parcels: Every dock or pier shall be situated so that no portion of the structure is closer than 15 feet to the boundary lines of the adjoining parcels projected along an imaginary line into the lake bed.
  - i. In cases where the strict application of this limitation would produce a grossly unfair result, the County Manager may authorize the imaginary lines to be altered.
- b. Proximity to other Docks or Piers: No dock or pier shall constructed within 20 feet of an existing dock or pier. If more than one dock or pier is located on the same parcel of property, the points where the docks or piers attach to the land may not be closer than 100 feet at their closest points.
- c. Length: Every dock or pier shall be limited in length to the most restrictive of the following:
  - i. No dock or pier may extend more than 110 feet from the 439 contour line.
    - (1) Any dock or pier shown on aerial photos of the lake which were taken in February 2002 which exceeds the 110 foot limitation may remain in its existing footprint as long as it is maintained in a good state of repair and so long as it is not prohibited by another limitation imposed by Greenwood County.
  - ii. No dock or pier may extend more than one-third of the distance between the parcel to which it is attached and the opposite shore.

- iii. No dock or pier may extend so far into the lake as to constitute a navigational or safety hazard to watercraft.
  - (1) In order to mitigate against potential hazards caused by a pier or dock, the County Manager shall have the authority to require that the end of any dock or pier be conspicuously marked with reflective material or contain a low intensity light sufficient to alert approaching watercraft of the presence of the dock or pier.
- d. Height: The tops of the treadways of fixed docks and piers shall be between the 440.5 and 442 contour lines.
- e. Total Size: The floored space of every dock or pier shall be limited in size to a maximum of 1200 square feet.
  - (1) Any dock or pier shown on aerial photos of the lake which were taken in February 2002 which exceeds the 1200 square foot limitation may remain in its existing footprint as long as it is maintained in a good state of repair and so long as it is not prohibited by another limitation imposed by Greenwood County.
- f. Roofs: A permit may allow a roof to be built over a dock or pier, subject to the following restrictions:
  - (1) The overhang of the roof may not extend more than 2 feet beyond the floored surfaces of the dock or pier.
  - (2) The highest part of the roof may not extend above an elevation of 453 feet and the lowest part of the roof may not extend below an elevation of 448.
  - (3) The roof may not be used as an upper deck nor may it be occupied by any person (other than a person performing maintenance) or used for the storage of any items.
  - (4) The support structures holding the roof must be installed far enough apart so as to not to unreasonably obstruct visibility.
- g. Components: Docks and piers shall be constructed out of materials approved by Greenwood County.
- h. Safety Markings: White reflective material shall be placed on the outer most corners of every dock or pier. In addition, every dock or pier shall contain at least two white reflectors on each side. Red reflectors are prohibited from docks and piers for navigational safety reasons.

- i. Prohibitions: The following are prohibited on piers and docks.
  - i. Enclosed structures of any type.
  - ii. Enclosed handrails.
  - iii. Storage lockers over three feet high.
  - iv. Plumbing facilities including sinks, toilets and showers.
  - v. Second level decks
  - vi. Living quarters
  - vii. Side walls
  - viii. A pier or dock configured to enclose an area of water on four sides.

Section 2: Parking and Storage of Watercraft: The following methods of parking and storing watercraft are allowed within the project boundary of Lake Greenwood:

- a. Piers and Docks: Watercraft may be moored to any pier or dock . No separate permit is required.
- b. Boat Slips: A permitted dock or pier may be configured with one or more boat slips to provide a floored surface and mooring points on two or three sides of a boat, provided it complies with the following restrictions:
  - i. Length: The length of the floored portions of the slip may not exceed thirty feet in any direction. In addition, the slip shall not extend into the lake beyond the areas allowed for a pier or dock.
  - ii. Roofs: A dock or pier permit may allow a roof to be built over a boat slip, subject to the following restrictions:
    - (1) The overhang of the roof may not extend more than 4 feet over the floored surfaces of the dock or pier.
    - (2) The highest part of the roof may not extend above an elevation of 453 feet.
    - (3) The roof may not be used as an upper deck nor may it be occupied by any person (other than a person performing maintenance) or used for the storage of any items.
    - (4) The support structures holding the roof must be installed far enough apart so as to not to unreasonably obstruct visibility.
  - iii. Limitations: Boat slips permitted under this resolution shall be for non-commercial, residential uses only, and such slips may not be leased for profit.

- c. Lifts:
  - i. A lift may be attached to a permitted pier or dock to vertically lift a watercraft out of the water for storage and lower it into the water for use without requiring a separate permit.
  - ii. Floating “drive on” lifts are allowed in the following situations without requiring a separate permit:
    - (1) When installed within that portion of a permitted pier or dock that has been configured into a three sided boat slip
    - (2) When connected to any other portion of a permitted pier or dock, however, the area of the lift shall be counted in determining whether or not the pier or dock exceeds the maximum allowable square footage.
  - iii. A lift attached to the shore or a retaining wall shall require a separate permit. No such lift may extend beyond the 436 contour line (water depth of 3 feet at normal summer pool) nor may it extend more than 25 feet from the 439 contour line.
  - iv. Restrictions applying to boat slips shall also apply to boat lifts

Section 3: Ramps. Permits issued for ramps shall contain the provisions set forth in this section.

- a. Location: Every ramp shall be situated so that no portion of the structure is closer than 5 feet from the boundary lines of adjoining parcels projected along an imaginary line into the lake bed. However, owners of adjoining properties may jointly submit an application for permit to install a ramp which will be co-owned and shared by the occupants of both properties. In that event, the five foot requirement will not apply with regard to the common property line.
- b. Length: The end of the ramp shall not extend beyond the 431 contour line (water depth of 8 feet at normal summer pool).
- c. Width: The width of the ramp shall not exceed 12 feet.
- d. Components: Ramps must be constructed of reinforced concrete or other materials approved by Greenwood County. That portion of the surface of the ramp lying below the 439.5 contour line shall be finished with a grooved “raked” finish.
- e. Slope: The slope of a ramp shall conform to the slope of the lake bed.

- f. Prohibitions:
  - i. Each parcel of property shall be limited to one ramp.
  - ii. The ramp shall be installed without unnecessary disturbance of the lake bed.

Section 4: Retaining Walls: Permits for retaining walls shall contain the provisions set forth in this section.

- a. Retaining walls may be installed up to one foot from any shoreline which does not currently have a retaining wall, but no portion of the retaining wall may be installed below the 439 contour line (normal summer pool) except in places where there is less than one horizontal linear foot (measured parallel to the surface of the lake) between the 440 and 439 contour lines.
- b. Height: Retaining walls may extend 2 feet above (1) the elevation of the shoreline prior to the construction of the wall or (2) the 439 contour line, whichever is higher.
- c. Limited Fill: An applicant may backfill behind the retaining wall up to one foot from the existing shoreline and up to the permitted height of the retaining wall.
- d. Rip-rap shall be installed at the base of the retaining wall to prevent the wall from being undermined by wave action.
- e. The holder of the permit shall notify Greenwood County (1) before the foundation is installed and (2) after the wall is completed to give Greenwood County the opportunity to inspect those stages of construction.

Section 5: Persons authorized to construct encroachments.

- a. Any individual to whom a permit has been issued may construct the encroachment(s) authorized by the permit.
- b. Third parties hired by an individual to whom a permit has been issued may only perform work within the project boundary of Lake Greenwood if they have been granted prior authorization by Greenwood County.

DONE AND PASSED: September 7, 2004.

GREENWOOD COUNTY COUNCIL

Attest: James N. Kier  
James N. Kier, County Manager

BY: Robbie Templeton  
Robbie Templeton, Chairman



GREENWOOD COUNTY, SOUTH CAROLINA  
GREENWOOD COUNTY COUNCIL  
RESOLUTION NO: 24-05

## ***Resolution Implementing Regulations Enforcing the Provisions Prohibiting the Discharge of Sewage into Lake Greenwood***

Pursuant to Ordinance No 18-04 entitled “Ordinance Amending Ordinance No 15-03 Regulating Activities Within the Project Boundary of Lake Greenwood”, the County Council hereby implements the following regulations:

Section 1: Pursuant to Section No 4 of Ordinance No 18-04, the discharge of sewage into the project boundary of Lake Greenwood is prohibited.

Section 2: In order to enforce the prohibition against the discharge of sewage into the project boundary of Lake Greenwood, the County Manager, or his staff, shall have the authority to require the person(s) who own or have possession of a parcel of property fronting on Lake Greenwood to demonstrate that all plumbing facilities on the property feed into a sewage disposal system which, in the reasonable judgment of the County Manager, is adequate to prevent unacceptable levels of sewage effluent from entering the lake.

Section 3: In the event the person(s) who own or have possession of the property do not allow inspections which satisfy the County Manager, or if the inspections reveal that the plumbing facilities on the property do not feed into a sewage disposal system which, in the reasonable judgment of the County Manager, is adequate to prevent unacceptable levels of sewage effluent from discharging into the lake, the County Manager shall have the authority to take any one or more of the following enforcement actions:

- a. Deny permits for the construction new encroachments extending from that property into the project boundary of Lake Greenwood.
- b. Deny permits for existing encroachments extending from that property into the project boundary of Lake Greenwood, which do not yet have a valid permit.
- c. Revoke all existing permits for encroachments extending from that property into the project boundary of Lake Greenwood.
- d. Order that existing encroachments extending from that property into the project boundary of Lake Greenwood be removed.

- e. Prohibit all person(s) who own or are in possession of that property, and their guests, from entering the project boundary of Lake Greenwood from that property and from using any encroachments extending from that property into the project boundary of Lake Greenwood.
- f. Institute criminal proceedings against any and all persons who are or may be criminally responsible.
- g. Institute civil proceedings to seek injunctions and monetary damages against the responsible persons.

Section 4: In the event action authorized by subparagraphs (b) through (d) is taken, any permit for encroachments thereafter issued for that property shall be treated as permitting new encroachments, and the encroachments must comply (or be brought into compliance) with the rules and regulations in effect for new encroachments at the time the permit is issued.

DONE AND PASSED: December 20, 2005

GREENWOOD COUNTY COUNCIL

Attest: *James N. Kier*  
James N. Kier, County Manager

BY: *Robbie Templeton*  
Robbie Templeton, Chairman



GREENWOOD COUNTY, SOUTH CAROLINA  
GREENWOOD COUNTY COUNCIL  
RESOLUTION NO: 01-06

***Resolution Establishing Regulations for Mechanical Devices or  
Automated Machinery Operated within  
the Project Boundary of Lake Greenwood***

Pursuant to Ordinance No 18-04 entitled "Ordinance Amending Ordinance No 15-03 Regulating Activities Within the Project Boundary of Lake Greenwood", the Greenwood County Council hereby implements the following regulations:

Section 1: No mechanical devices or automated machinery shall be operated within the project boundary of Lake Greenwood except for the following:

- a. Any watercraft, designed to be operated above the surface of the water, which bears a current registration with the South Carolina Department of Natural Resources.
- b. Motor vehicles licensed by the South Carolina Department of Motor Vehicles which are launching watercraft from or trailering watercraft onto a trailer using a boat ramp which has a valid use agreement (permit) with Greenwood County.
- c. Machinery approved by the County Manager which is used by a contractor who has been granted prior authorization by Greenwood County to install encroachments within the Project Boundary of Lake Greenwood.

Section 2: Violation of the terms of Section 1 of this resolution shall be a violation of Ordinance No 18-04, and any person committing such a violation shall be subject to the civil and/or criminal penalties provided in Section 10 of Ordinance No 18-04.

Section 3: Any person who allows or authorizes any mechanical device or automated machinery to enter the project boundary of Lake Greenwood from his property, which is operated in violation of Section 1 hereof, shall also be subject to the civil and/or criminal penalties provided in Section 10 of Ordinance No 18-04.

DONE AND PASSED: January 17, 2006.

GREENWOOD COUNTY COUNCIL

Attest: James N. Kier  
James N. Kier, County Manager

BY: Robbie Templeton  
Robbie Templeton, Chairman