

OPERATING A DRUG HOUSE\BUSINESS

OPERATING A DRUG HOUSE\BUSINESS

Any place where controlled substances are illegally kept, sold, distributed, or used is declared a public nuisance. Any store, shop, warehouse, dwelling or residential house, building, structure, vehicle, camper, boat, vessel, aircraft, or any place whatsoever, which is visited by persons for the purpose of unlawfully using or manufacturing any controlled substance or which is used for the illegal keeping, selling, or delivering of the same, shall be deemed a public nuisance. No person, owner, operator, landlord, tenant, visitor, or squatter shall keep or maintain such public nuisance or allow, aid or abet another in keeping or maintaining such public nuisance.

Should a property be determined to be a drug house and/or other public nuisance constituting unhealthy, unsightly, dangerous, or other conditions negatively impacting the general public welfare within the Town of Six Mile, by the Zoning and Codes Administrator, the following enforcement actions are to be taken to eliminate the public nuisance present on or created at the property.

1. The Administrator or other representative of the Town shall notify the owner(s) of the property via certified mail return, receipt requested, of the public nuisance and the need for corrective action.
2. Should the owner(s) refuse the notice or should it not be possible to locate the owners, notice of the designation of the property as a public nuisance shall be physically posted either on the front door or, should there not be a structure present on the property, by posting signage on the property in the manner required under the Town zoning ordinance.
3. In accordance with S.C. Code Sec. 5-7-80, the notice of the public nuisance shall list the corrective action(s) required to eliminate the public nuisance, along with a deadline for completion and shall include Town contact information for the owner to ask for further information about the matter.
4. Should the owner(s) fail or refuse to comply, the owner shall be provided with the opportunity to be heard before Council as to the owner(s)'s reasons why corrective action(s) either cannot be completed by the deadline or why corrective action is not warranted.
5. Absent Council finding that corrective action is not warranted, should the owner(s) refuse to eliminate the public nuisance in accordance with the corrective actions required by the Administrator, the Town may take whatever legal action is required to eliminate the public nuisance, including, but not limited to, bringing a civil action in order to obtain a court order requiring the owner(s) to eliminate the public nuisance, or the Town or its representatives entering on to the property to correct conditions or remove materials causing the public nuisance to exist, and filing a lien on the property for the cost of such actions.