

**ORDINANCE TO AMEND SECTION 14
OF THE
ORDINANCES FOR THE TOWN OF SULLIVAN'S ISLAND
BY ADDING SECTION 14-33
NO. 2010-07**

WHEREAS, Title 5 of the South Carolina Code of Laws sets forth the powers, duties, functions and responsibilities of all municipalities; and,

WHEREAS, the Town of Sullivan's Island seeks to maintain the peaceful and quiet repose of its residential community; and,

WHEREAS, the State of South Carolina and Town of Sullivan's Island empower its Police Department to enforce codes within the jurisdiction,

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL IN MEETING DULY ASSEMBLED, that Section 14 be hereby amended by adding 14-33 to read as follows:

SEC. 14-33. Property – Injuring, damaging, destroying, etc.

The destruction, injuring, damaging, mutilation, unauthorized use, trespass upon or removal of the property of another is hereby prohibited. It shall be unlawful for any person to destroy, damage, mutilate or remove the property of another. The following acts, among others, are declared to be in violation of this section, but this enumeration shall not be deemed to be exclusive:

1. Personal property. Any willful, unlawful and maliciously cutting, shooting, maiming, wounding or other injuring of any personal property of another person.
2. Fixtures and real property. Any willful, unlawful and malicious cutting, mutilating, defacing or other injuring of any tree, house, outside fence or fixture of another, or the commission of any other trespass upon real property in the possession of another.
3. Municipal property. Unless authorized by town officials, the removal, interference with, use, trespass upon, or destruction of any town property.
4. Cemeteries. The damaging or defacing in any way whatever of any well, pump, building, tombstone, seat, bench, chair, railing, enclosure, tree, shrub, vine, bulb, flower or other thing placed, put or growing in any cemetery.
5. Grass plots, flowers, etc. Driving any animal or vehicle along, on or across any grass plot in any street, public place or sidewalk, or trampling, plucking, mutilating or injuring the grass, shrubs or flowers planted or growing in such place.

6. Trees and shrubs. Cutting, scarring, mutilating, digging up or otherwise injuring or destroying any trees or shrubs on the public streets or in the parks of the town.

State law references: Injuring property, etc., S.C. Code 1976, 16-1 1-510 et seq.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON RATIFICATION.

SIGN, SEALED AND DELIVERED THIS _____ DAY OF _____, 2010.

Carl J. Smith, Mayor

Attest:

Ellen McQueeney, Town Clerk

Approved as to form:

Lawrence Dodds, Town Attorney

**Introduced:
Second Reading:
Third Reading:
Ratification:**