

15-86 Short Title.

This article shall be known as the Utility Disclosure Ordinance of Horry County, South Carolina.

15-87 Jurisdiction.

The provisions of this article shall be applicable within the unincorporated portions of the county.

15-88 Purpose.

The purpose of this article is to minimize the impact of utility installations located throughout the county via coordination of information between the county and public utility providers.

15-89 Definitions.

Electrical Utility – Corporations and persons, their lessees, assignees, trustees, receivers, or other successors in interest owning or operating in this State equipment or facilities for generating, transmitting, delivering, or furnishing electricity for public uses or for the production of light, heat, or power to or for the public, or any portion thereof, for compensation.

Public or any portion thereof - The public generally, or any limited portion of the public, including a person, private corporation, municipality, or any political subdivision of the State for which the service is performed or to which the commodity is delivered and whenever such corporation or person performs a service or delivers a commodity to the public, or any portion thereof, for which compensation is required such corporation or person is hereby declared to be a public utility.

Public Utility - Corporations and persons generating, transmitting, distributing, transporting and/or collecting in any manner electricity (electrical utility) heat (other than means of electricity), water, sewerage and communications (telephone utility) to the public, or any portion thereof, for compensation.

Telephone Utility - Corporations and persons, their lessees, assignees, trustees, receivers or other successors in interest owning or operating in this State equipment or facilities for the land transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones.

15-90 General Provisions.

The following standards shall apply to all public utility providers located within unincorporated Horry County;

1. Utilities shall notify the County of construction activities thirty (30) days in advance of beginning said construction. Notification shall include the following information;
 - i. A boundary survey of the proposed utility location site. The survey shall meet all requirements of the Horry County Land Development Regulations (Chapter 18 of the County Code for Final Plats);
 - ii. Screening and landscaping if applicable per Appendix B, §516 of the Horry County Code of Ordinances.
2. Utilities shall disclose property transactions within thirty (30) days of purchase. Notification shall include a boundary survey that meets all requirements of the Horry County Land Development Regulations (Chapter 18 of the County Code for Final Plats).
3. Current and future land acquisitions greater than ten thousand (10,000) square feet in area and not improved for purposes of operating a utility shall be posted in a conspicuous manner. Posting shall be accommodated via a sign measuring not less than nine (9) square feet in area constructed of weather proof materials and

maintained until construction activity begins. Signs shall be posted on the property or the nearest road access and include the name of the utility operator and contact information.

15-91 Exclusions.

Overhead transmission/distribution lines and underground utilities of any type and/or use shall be exempt from the standards set forth herein. Telecommunication towers covered under Article XVI of the Horry County Zoning Ordinance are excluded herein.

15-92 Enforcement.

It shall be unlawful for any utility, or representative thereof, to withhold disclosure per the requirements stated herein. The County Administrator shall be authorized to pursue injunctive relief upon finding that the requirements stated herein have not been met within the specified time period. Each occurrence shall constitute a separate violation.