



City of Walhalla Planning Commission

Kelvin Bryant, Chair

Robert Kelley

Alan Nicholson, Vice-Chair

Rachel Pace

Gisela Cromer

Monday, May 11, 2026

Planning Commission Meeting

5:30 PM

105 W South Broad Street
Walhalla, South Carolina 29691

AGENDA

1. Call to Order
2. Welcome to New Commissioner
3. Approval of Agenda
4. Approval of Minutes
 - a. April 6, 2025
5. Public Hearings
6. New Business
 - a. Chapter 330 Revision, Jeff Guilbaut, ACOG
 - b. Rental Properties
7. Public Comments, Non-Agenda Items
8. Other Business
9. Adjournment

Chapter 241

RENTAL PROPERTIES

§ 241-1.	Definitions.	§ 241-8.	Complaint-based inspections.
§ 241-2.	Purpose.	§ 241-9.	Voluntary inspections.
§ 241-3.	Applicability.	§ 241-10.	Public nuisance.
§ 241-4.	Rebuttable presumption regarding rental property.	§ 241-11.	Violations and penalties.
§ 241-5.	Inspections.	§ 241-12.	Applicable ordinances.
§ 241-6.	Reinspections.	§ 241-13.	When effective; right to take action; amendments.
§ 241-7.	Self-certification.		

[HISTORY: Adopted by the City Council of the City of Walhalla 9-16-2014 by Ord. No. 2014-12. Amendments noted where applicable.]

§ 241-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

APARTMENT — Any building containing two or more single-family dwelling units having one water connection for all dwelling units.

APPLICABLE LAWS — The City's ordinance.

BUILDING — Any improved property containing a structure which meets any one of the classifications in the definitions of "apartment," "business" and "commercial" of this section. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**

BUSINESS — Any building used by the occupant for amusement, entertainment, service, professional, retail trade or any other similar purposes except as defined under "commercial" and "institution."

CAMPER/TRAVEL TRAILER — A vehicle without motor power designed to be towed by a motor vehicle, and of such size and weight as not to require a special highway moving permit, designed to provide temporary living quarters for recreational, camping and travel use, and designed not to require permanent on-site utilities, including, but not limited to, tent campers, park models, park trailers, motor homes and fifth wheels. This term may include any vehicle whose body width is less than eight feet, and whose length is not more than 35 feet in the travel mode, and so designed that part of its weight rests on the towing vehicle.

CITY — The City of Walhalla, its elected officials and appointed authorized representatives.

COMMERCIAL — Any hotel, motel, lodge, tourist home, efficiency apartments, houses or similar building operated primarily as a commercial enterprise for the purpose of rental and lodging on a daily or weekly basis. For determination of rates, each room or series of rooms made available to the general public as a separate entity for overnight accommodation shall be classified as a rental unit.

CUSTOMER — Any responsible person who makes application to the City for water service.

CUSTOMER IN GOOD STANDING — A customer who has an active account(s) and has not violated the water use ordinance at any time,¹ and has not been cut off for nonpayment for any monthly bill within

one year, at time of application for a new service.

INSTITUTION — Any building used as a hospital, church, school or similar public facility.

MASTER METER — Meter serving more than one unit.

MULTIPLE-FAMILY DWELLING UNIT — Any building containing two or more single-family dwelling units and having individual water connections to each dwelling unit.

OCCUPANT — Any person who occupies a rental property, whether as a tenant or permittee of the owner.

OWNER or PROPERTY OWNER — A single individual, partnership or joint venture, or any entity that has any kind of ownership interest in a rental property, whether as an individual, partner, joint venture, stock owner or ownership interest in some other capacity, or the owner's designee. If more than one person or an entity owns the subject real property, "owner" or "property owner" refers to each person or entity holding any kind of ownership interest in the property, and the property owners' obligations in this chapter are joint and several as to each property owner.

PERSON — Any individual, firm, company, association, corporation, institution or group.

RENTAL PROPERTY — Any and all real property that is rented or leased by one group or person from any other group or person for the purpose of living space, commercial or industrial use. All rental properties inside the City limits must be inspected by the Fire Department prior to obtaining services.

SINGLE-FAMILY DWELLING UNIT — Any building, house or apartment unit occupied for living purposes by a single family and owned or leased by the occupant on a continuing basis for 30 days or more per year.

TOWNHOUSE — One or more building containing two or more single-family units owned individually and provided with, or adjacent to, public streets or roads and having one water connection for each unit.

§ 241-2. Purpose.

The rental property inspection program is a part of the City of Walhalla's overall effort to encourage upkeep of all rental property as defined herein. Owners of any rental property will be required to maintain these units in accordance with all applicable laws.

§ 241-3. Applicability.

- A. The provisions of this chapter shall apply to all rental property, as that term is defined herein, within the City. This chapter also applies to the premises on which a rental property is located, including but not limited to parking lots, driveways, landscaping, accessory structures, fences, walls, swimming pools, hot tubs and spas.
- B. The provisions of this chapter are supplementary and complementary to other provisions of this Code and applicable laws. Nothing in this chapter may be construed to limit any existing right of the City to abate nuisances or to enforce any provisions of applicable law, statute or this Code, including provisions of uniform codes adopted by reference in this Code.

§ 241-4. Rebuttable presumption regarding rental property.

For the purpose of this chapter, if the water bill for a property is in a different name than that of the property owner or if the water bill is in the owner of record's name, but is mailed to an address other

1. Editor's Note: See Ch. 310, Part 2, Water Use.

than the property address, it shall be a rebuttable presumption that the property is a rental property. This presumption can be rebutted by the owner of record providing reasonable documentation to the City that the property is owner-occupied or is not being used for rental income.

§ 241-5. Inspections.

- A. Each water customer shall make application to the City for service by completing the standard contract of the City. In addition, proof of ownership (deed), or a copy of a rental agreement, and a photo ID will be required to establish service. Contracts must be completed in person; no exceptions. Rental units inside City limits must pass an inspection prior to establishing service.
- B. All rental property located in the City shall be subject to an annual inspection by the Fire Department or Code Enforcement Officer for compliance with applicable laws. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- C. All businesses and institutions located in the City, whether rental property or owner-occupied, shall be subject to an annual inspection by the Fire Marshal for compliance with applicable laws or codes by reference.

§ 241-6. Reinspections.

- A. One or more reinspections will be conducted by the Code Enforcement Officer or Fire Marshal to verify that the deficiencies noted during the annual inspection have been corrected. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. Violations that were not noted on the initial inspection report, but are discovered on the reinspection due to subsequent damage or deterioration, shall be subject to correction.

§ 241-7. Self-certification.

- A. Well-maintained rental property with no outstanding violations of any applicable laws may qualify to participate in the self-certification program. Qualifying properties will not be subject to inspection for a period of three years, provided that conditions of the rental property do not deteriorate during that time to the point where the rental property would no longer meet eligibility standards for the self-certification program.
- B. To qualify for the self-certification program a property owner must:
 - (1) Complete the self-certification program application packet provided by the City.
 - (2) Conduct a self-inspection of all exterior and site conditions of all rental property, and certify that conditions at the rental property meet the exterior standards listed on the self-certification program's checklist.
 - (3) Ensure that smoke detectors are present and operational.
- C. Upon receipt of a request from a property owner to participate in the self-certification program, the City may inspect the rental property. If the Code Enforcement Officer determines that the property is qualified to participate in the self-certification program, a certificate of compliance will be issued to the property owner. Recertification in the self-certification program shall be required every three years. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- D. If the Code Enforcement Officer determines that the property is not eligible to participate in the self-

certification program, then the residential rental property shall be subject to annual inspection.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- E. At all times, the City shall retain the authority to investigate and address any violation of applicable laws.
- F. Any owner that fails to maintain a rental property to meet all of the standards listed on the self-certification program's checklist shall immediately be removed from the self-certification program and become subject to annual inspections.

§ 241-8. Complaint-based inspections.

Nothing contained in this chapter shall prevent or restrict the City's authority to inspect any rental property in response to a complaint alleging code violations or violations of applicable laws and to pursue all remedies permissible under this chapter or applicable laws.

§ 241-9. Voluntary inspections.

Nothing contained in this chapter shall be construed to prohibit a property owner or occupant from voluntarily requesting an inspection pursuant to this chapter to determine whether the rental property complies with applicable laws.

§ 241-10. Public nuisance. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

It shall be considered a public nuisance to have or maintain any rental properties that fail to comply with any applicable laws. The Code Enforcement Officer shall have the power to require correction of violations identified through the annual inspection.

§ 241-11. Violations and penalties. [Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

- A. Whenever the Code Enforcement Officer determines that a violation of this chapter exists, the Code Enforcement Officer shall give notice of violation and an order to correct to the property owner. The notice shall be in writing and shall describe with reasonable detail the violation(s) so that the property owner has the opportunity to correct said violation.
- B. Any person who fails to comply with any provisions of this chapter after receiving written notice of the violation(s) and being given a reasonable opportunity to correct such violation(s) shall be deemed to be in violation of this chapter.
- C. Any owner of a rental property who fails to permit the annual inspection by the Code Enforcement Officer pursuant to this chapter shall be in violation of this chapter.
- D. Any person violating the provisions of this chapter shall be fined or imprisoned within the discretion of the Municipal Court of the City of Walhalla.

§ 241-12. Applicable ordinances.

The certain documents, which are on file at the City Hall of the City of Walhalla, being marked and designated as the following, shall be referred to, adopted and made a part hereof, as if fully set out in this chapter, with additions, insertions, deletions and changes:

- A. Chapter 1, Article I, § 1-2, of the City Code, regarding municipal uniform ordinance summons (description of City of Walhalla ordinance violations other than traffic), as amended.
- B. Chapter 52, Municipal Court, of the City Code, as amended.
- C. Chapter 123, Article I, Unsafe Buildings, of the City Code, as amended.
- D. Chapter 123, Article I, Unsafe Buildings, § 123-7, as amended by Ord. No. 1996-11 (amendment for penalty of violations to municipal ordinances to be maximum of \$500 per day or imprisonment for not more than 30 days; each twenty-four-hour period is a separate offense).²
- E. Chapter 123, Article III, Adoption of Standards, of the City Code, as amended, and its references with the International Code Council.
- F. Chapter 131, Business Licenses, of the City Code, as amended.
- G. Chapter 164, Fire Limits, of the City Code, as amended.
- H. Chapter 199, Manufactured Homes, of the City Code, as amended.

§ 241-13. When effective; right to take action; amendments.

- A. The City of Walhalla Code Enforcement Officer shall certify to the adoption of this chapter, and cause the same to be published as required by law; and this chapter shall take effect and be in force from and after its approval as required by law. **[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]**
- B. The City of Walhalla, through its duly qualified officers, reserves the right to take such immediate action for emergencies not specifically covered herein, as they may deem necessary in the interest of public health and safety; and further reserves the right to amend this chapter, in part or in whole, whenever it may deem necessary, but such right will be exercised only in the manner established or prescribed for such matters, including, but not limited to, public notice prior to final action.

2. Editor's Note: See also Ch. 1, § 1-1.