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Town of McClellanville Zoning and Land Development Ordinance
Adopted September 13, 2004

Section 1.1 Short Title

This ordinance shall be known and may be cited as THE ZONING and LAND DEVELOPMENT ORDINANCE OF THE TOWN OF McCLELLANVILLE, SOUTH CAROLINA.

Section 1.2 Intent and Purpose

This ordinance is adopted pursuant to the authority conferred by Section 6-29-310, et seq., Code of Laws of South Carolina, 1976, as amended, and drafted in accordance with a comprehensive plan, for the purposes, among others of:

- (a) lessening congestion in the roads and streets;
- (b) protecting the development of both urban and non-urban areas;
- (c) securing safety from fire, flood, erosion and other dangers;
- (d) providing adequate light and air;
- (e) promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare;
- (f) encouraging such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate economical and adequate provisions for transportation, communications, roads, water supply, drainage, sanitation, education, recreation or other public requirements;
- (g) conserving and protecting the quality of natural resources;
- (h) fostering the Town's agriculture, fisheries and other industries;
- (i) protecting the food supply;
- (j) guiding the development of the Town in accordance with existing and future needs;
- (k) preventing the overcrowding of land and the undue concentration of population;
- (l) protecting scenic areas and preserving historic sites and buildings;
- (m) promoting desirable living conditions and the sustained stability of neighborhoods;
- (n) protecting property against blight and depreciation;
- (o) securing economy in governmental expenditures;
- (p) conserving the value of land and buildings; and
- (q) encouraging the most appropriate use of land and structures.

Section 1.3 Territorial Jurisdiction

The jurisdiction of this Ordinance shall include all incorporated portions of the Town of McClellanville, South Carolina.

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Section 1.4 Conflict with Other Ordinances

Whenever there is, or appears to be, a conflict between any provision of this Ordinance with the provisions of any other lawful ordinance, regulation or resolution, the more restrictive shall apply.

Section 1.5 Private Agreements

This Ordinance does not and cannot negate, annul or interfere with any easements, covenants or other private agreements or legal relationships. However, in those cases where the regulations of this Ordinance are more restrictive than such private agreements or relationships, the regulations of this Ordinance shall govern.

Section 1.6 Severability

If any subsection or provision hereof shall be held to be unconstitutional, void or unenforceable by any court of competent jurisdiction, such declaration shall not affect the validity of the remaining provisions of this Ordinance not specifically declared to be invalid or unconstitutional, and all other subsections and provisions shall continue to be and remain in full force and effect.

Should all provisions of this Ordinance be declared unconstitutional, void or unenforceable as to any or all property in the Town by a court of competent jurisdiction, it is the intent of the Town Council that the zoning ordinance adopted by the Council on June 28, 1993, as amended, be revived.

Section 1.7 Repeal of Prior Provisions

This Ordinance repeals any prior ordinance related to the use and development of land in the Town of McClellanville, with the exception of the official zoning map, adopted by the Town of McClellanville on June 28, 1993, as the same may have been amended through the effective date of this ordinance as set forth in [Section 1.8](#) hereof. Such repeal shall not affect or impair any act done, offense committed or right accruing, accrued or acquired, or liability, penalty, forfeiture or punishment incurred prior to the time such repeal takes effect, but the same may be enjoyed, asserted, enforced, prosecuted or inflicted, as fully and to the same extent as if such repeal had not been effected.

Section 1.8 Effective Date

The effective date of this Ordinance shall be September 13, 2004.