

STATE OF SOUTH CAROLINA       )  
  )  
COUNTY OF SALUDA                )

**ORDINANCE NO. 06-19**

**AN ORDINANCE TO ESTABLISH A UNIFORM SERVICE CHARGE  
FOR PUBLIC SAFETY IN SALUDA COUNTY, SOUTH CAROLINA.**

WHEREAS, Saluda County Council provides Fire, Ambulance and Law Enforcement in Saluda County; and

WHEREAS, Saluda County Council wishes to establish a Uniform Service charge for Public Safety in Saluda County, South Carolina; and;

WHEREAS, Saluda County Council has after extensive study and consideration determined that it is in the best interest of the citizens and taxpayers of Saluda County, South Carolina, that a uniform fee for public safety should be established, which shall become the Public Service Ordinance for Saluda County, South Carolina;

**NOW, THEREFORE, IT IS RESOLVED AND ORDAINED AS FOLLOWS:**

**FINDINGS OF FACT:**

1. There are currently in excess of 20,000 citizens within Saluda County, South Carolina and 9800 structures.
2. The cost of providing same public safety is escalating at an ever accelerating rate and all funds available must be used to maintain and improve the system to provide for the health and safety of the citizens.
3. Currently Saluda County provides funds for eight (8) volunteer fire stations, the Saluda County Ambulance Service which consists of three (3) stations and 25 full time personnel, and the Saluda County Sheriff's Department which consist of 64 full time personnel.
4. Public safety services are provided for every citizens of Saluda County. These citizens work and live within the structures which are the base for this fee.
5. Public Safety within Saluda County must be maintained and improved to accommodate increasing growth of Saluda County. Population growth in surrounding counties show a pattern that will lead to exponential growth in Saluda County in the coming years.

6. Improvements of Public Safety within Saluda County bestows a specific benefit on the citizens, and specifically on the owners of structures, through the protection of the structures and the contents thereof.
7. Counties are specifically mandated “to assess....uniform service charges...and make appropriations for...public safety...” by ‘4-9-30(5) of the South Carolina Code of Laws, 1976, as amended (“The Home Rule Act”).
8. The health, order, general welfare, and convenience of the County will be served by the enactment of this ordinance.
9. Certain classes of property owners should be exempted from the provisions of this ordinance. County Council determines that the exemptions from ad valorem taxes provided for by 12-37-220 S.C. Code Ann (1990 Com. Supp.) should apply to the public safety fee required to be paid by this ordinance.

In order to implement the legislative intent of Saluda County Council based on the above, findings of fact, it is ordained as follows:

- A. The owner of each parcel of property within Saluda County which contains a taxable structure, shall pay annually to the Saluda County Treasurer, a fee of Fifty (\$50.00) Dollars for each such parcel of property. Additionally, owners of mobile homes shall pay annually to the Saluda County Treasurer, a fee of Fifty (\$50.00) Dollars for each titled mobile home.
- B. The public safety fee shall be included on real property tax notices in such manner and method as determined by the Saluda County Director and collected by the County Tax Collector pursuant to State law. The uniform public safety fee shall be due, payable and collected in the same manner as real property taxes and shall be subject to the same penalties and interest as overdue real property taxes.
- C. The proceeds from the collection of such fees shall be deposited in a fund to be administered by the Saluda County Director, who shall maintain a separate accounting of funds collected. The proceeds of such fund, together with any investment income earned thereon, must be used solely and exclusively for public safety. Funds not used in any fiscal year shall be carried forward and used exclusively for public safety within Saluda County.
- D. Funds derived from the fee shall be used exclusively for public safety upon approval of County Council.
- E. Exemptions:
  - a. The owner of any real property that would be exempt from ad valorem taxes pursuant to 12-37-220 S.C. Ann (1990 Cum Supp.) shall be exempt from the provisions of the ordinance.

Should a court of competent jurisdiction declare any word, phrase, clause or provision of this ordinance invalid or unconstitutional, such declaration shall not affect this ordinance as a whole or any part hereof except that specific provision declared by such court to be valid or unconstitutional.

All ordinances or parts of ordinances in conflict with this ordinance or inconsistent with its provisions are hereby repealed or superseded to the extent necessary to give this ordinance full force and effect.

This ordinance shall take effect upon final approval of this ordinance.

DONE, RATIFIED, AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

\_\_\_\_\_  
Derrick Jones  
Chairman, Saluda County Council

Attest:

\_\_\_\_\_  
Karen Whittle  
Clerk to Council

This Ordinance has been reviewed by me and is hereby approved as to form and legality.

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Christian G. Spradley  
Saluda County Attorney

First Reading Date: August 12, 2019  
Public Hearing Date: September 9, 2019  
Second Reading Date:  
Third Reading Date: