

ORDINANCE 2019-05

AN ORDINANCE

TO CREATE AND ESTABLISH A SPECIAL TAX DISTRICT IN CLARENDON COUNTY, SOUTH CAROLINA, TO BE KNOWN AS CLARENDON COUNTY EMERGENCY SERVICES SPECIAL TAX DISTRICT; TO DEFINE DISTRICT'S AREA AND BOUNDARIES; TO AUTHORIZE THE ANNUAL LEVY AND COLLECTION OF TAXES AND THE IMPOSITION AND COLLECTION OF FEES FOR DISTRICT'S OPERATION AND MAINTENANCE AND REPAYMENT OF ANY BONDS; TO AUTHORIZE THE ISSUANCE AND DELIVERY OF GENERAL OBLIGATION BONDS BY CLARENDON COUNTY, SOUTH CAROLINA, OR REVENUE BONDS PAYABLE FROM THE IMPOSITION OF COLLECTION OF FEES RELATED TO THE DISTRICT, THE PROCEEDS OF WHICH WILL BE USED TO PURCHASE EQUIPMENT AND FACILITIES FOR DISTRICT; AND OTHER RELATED MATTERS.

CERTIFIED TRUE COPY
OF ORIGINAL FILED IN THIS OFFICE
DATE 9-18-19
Beulah A. Roberts
CLERK OF COURT
CLARENDON COUNTY, SC

THE CLARENDON COUNTY, SOUTH CAROLINA, COUNTY COUNCIL ORDAINS:

ARTICLE I
FINDINGS OF FACT

Incident to the adoption of this Ordinance, and the creation and establishment of the Clarendon County Emergency Services Special Tax District ("District"), the County Council ("Council") of Clarendon County, South Carolina ("County"), finds the following facts.

Section 1.01. Pursuant to South Carolina Code Annotated section 4-9-30(5)(a)(iii), Council, as the County's governing body, is authorized and empowered to create and establish a special tax district in the County to provide various services as provided in Section 4-9-30(5), to assess property and levy *ad valorem* property taxes and uniform service charges, including the power to tax different areas at different rates related to the nature and level of governmental services provided and make appropriations for functions and operations of the County, including, but not limited to, for public health, social services, public safety, hospital, and medical care, specifically for ambulance and emergency services, including, but not limited to 911-emergency dispatch and services ("Services"), and to provide for the regulation and enforcement of the same.

Section 1.02. Moreover, pursuant to Section 4-9-30(6), Council is empowered to establish whatever agencies, departments, boards, commissions and positions in the County as may be necessary and proper to provide services of local concern for public services, to prescribe the functions thereof and to regulate, modify, merge or abolish any such agencies, departments, boards, commissions and positions except as otherwise provided for in said title.

ARTICLE II
CREATION AND ESTABLISHMENT OF CLARENDON COUNTY
EMERGENCY SERVICES SPECIAL TAX DISTRICT

Section 2.01. Pursuant to Section 4-9-30, there is hereby created and established a special tax district in the County known as the "Clarendon County Emergency Services Special Tax District," which shall include and be comprised of the territory in Clarendon County embraced in the following description:

All of the unincorporated area of Clarendon County, South Carolina, which constitutes the entire area of the County with the exception of the areas located in the incorporated municipalities of the incorporated areas of Manning, Paxville, Summerton, and Turbeville.

Section 2.02. District is created and established for the purpose and function of providing Services therein. Council is hereby authorized to exercise all powers and to perform all duties necessary to the proper rendering of Services, which include the appropriation of funds for the functioning and operation of District and the issuance of bonds for capital expenditures therefor which funds will be derived from the levy and collection of an *ad valorem* tax upon all taxable property located in District.

Section 2.03. District shall be governed and operated as an administrative division of the County with the County Administrator having all duties afforded the County Administrator with respect to any other administrative division of the County. Further, the County Administrator may contract for services (including the retention of consultants), leasing/purchasing all real and personal property reasonably necessary or prudent to provide Services in the District. Further, the County Administrator is authorized to contract to provide Services in the corporate limits of any municipality, situated in the County, by contract with any individual, corporation or municipal governing body, subject always to the general law and the Constitution of the State regarding such matters.

ARTICLE III
LEVY OF *AD VALOREM* TAXES
FOR OPERATION AND MAINTENANCE

Section 3.01. To provide for the operation and maintenance of District, there shall be levied annually by the County Auditor and collected by the County Treasurer an *ad valorem* tax on all taxable property located in District in the amount as determined by Council to be necessary for District's operation and maintenance for the ensuing fiscal year.

Section 3.02. All moneys collected by the County Treasurer pursuant to the authorization contained in Section 3.01 hereof shall be deposited in a separate and distinct fund and used solely for the purpose of operating and maintaining District to provide Services.

ARTICLE IV
ISSUANCE OF GENERAL OBLIGATION BONDS

Section 4.01. For the purpose of providing facilities for District which may include the purchasing of appropriate sites, the construction thereon of facilities, and the purchasing of related machinery and equipment and other related real and personal property to provide Services in District, Council shall issue from time to time (limited tax) general obligation bonds of the County, either as a single issue or from time to time as several separate issues. Such bonds shall have such date, such maturities and shall be in such form and be sold in such amounts as Council shall hereafter by Ordinance determine.

The principal of and interest on the bonds shall be payable from an *ad valorem* tax levied on all taxable property located in District sufficient to pay the principal of and interest on the bonds as they respectively mature and to create any Sinking Fund as may be necessary therefor as set forth in the Ordinance providing for the issuance of the bonds.

ARTICLE V
ADDITIONAL PROVISIONS

Section 5.01. The Council Chairman and the County Administrator, each acting individually, for and

on behalf of the County, are authorized and directed to do all things reasonably necessary and prudent to affect this Ordinance's intent and the performance of all obligations of the County under and pursuant to this Ordinance.

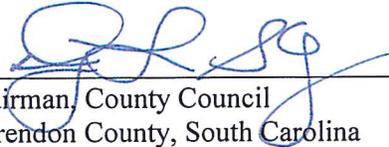
Section 5.02. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of the Ordinance.

Section 5.03. All orders, resolutions, ordinances, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed, and this Ordinance shall take effect and be in full force from and after its passage and approval.

[ONE SIGNATURE PAGE FOLLOWS]
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CLARENDON COUNTY, SOUTH CAROLINA





Chairman, County Council
Clarendon County, South Carolina

(SEAL)
ATTEST:



Clerk to County Council
Clarendon County, South Carolina

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