



Committee on Planning & Development

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COMMITTEE ON PUBLIC WORKS AND INFRASTRUCTURE

Agenda Item No. PWI-7 Meeting Date: November 15, 2016

REQUEST FOR COMMITTEE ACTION

To: Fred Payne, Chairman, Committee on Public Works and Infrastructure
From: Paula Gucker, Assistant County Administrator, Department of Community Planning and Development
Department: Public Works

Item Title: Special Tax District Policy

Action Taken by Committee previously (include dates when Item was discussed):

Motion Requested Today: Approval and forward to full County Council a policy to create a Special Tax District to fund maintenance and repairs of privately owned dams.

Staff Recommendation:

Impact of Action:

Funding Amount/Source:

Requested by:

Staff Representative: Paula Gucker, Assistant County Administrator
Kim Wunder, Assistant County Attorney

List of Attachments: Policy

November 9, 2016
Date Submitted

Approved by the County Administrator

various
Council District



COUNTY OF GREENVILLE

POLICY FOR CREATING SPECIAL TAXING DISTRICTS TO ASSIST IN FUNDING MAINTENANCE AND REPAIRS OF COMMUNITY/NEIGHBORHOOD DAMS

Introduction: Several communities in the unincorporated area of Greenville County have asked whether the County could create a special taxing district to assist in funding the costs of maintenance and repairs of the communities' privately owned dams and related facilities.

Intent: This policy will serve as guidance to those communities located in the unincorporated area of Greenville County interested in creating a special taxing district under Section 4-9-30(5) of the Code of Laws of South Carolina, as amended (the "Code") for the purposes stated above.

Procedures: A community may undertake a petitioning effort pursuant to Code Section 4-9-30(5) to determine whether the resident freeholders and/or registered voters support creating the proposed district, and to determine a maximum tax levy on all property located within the boundaries of the proposed district or a maximum annual uniform service charge on all real property in the proposed district. Upon a successful petitioning effort and/or referendum meeting the requirements of Code Section 4-9-30(5), an ordinance creating the proposed district should incorporate following parameters:

- Commission: Appointment or election of a 3-5 member commission to govern the district.
- Purposes: The purposes of the district are to raise revenue for the repair and maintenance the dam, lakes and related facilities within the district; to prevent threats to private property and general public safety and welfare caused by dam failure and/or breach; to pay the cost of utilities, taxes, insurance (if applicable) and other costs of administering the district; and to apportion among the owners of property within the district the costs of operating the district.
- Powers and limitations of commission: The commission may exercise all powers and perform all duties necessary and proper to carry out the purposes of the proposed district, except acquiring and/or conveying real or personal property in the name of the commission, the district or the County, including the dam, lakes and related facilities.