

AN ORDINANCE

TO ESTABLISH A UNIFORM CHARGE FOR THE PROVISION OF UPGRADED COUNTY-WIDE PUBLIC SAFETY TELECOMMUNICATION SERVICES TO ALL REAL PROPERTY WITHIN GREENVILLE COUNTY; AND TO AMEND ORDINANCE NO. 2474, AS AMENDED, SO AS TO INCREASE THE COUNTY ROAD MAINTENANCE FEE.

WHEREAS, first responders and public safety service providers in Greenville County, including city and county law enforcement, fire departments and emergency medical services, communicate with each other over a series of radio networks dedicated to public safety communications; however, these networks are independently operated with uneven coverage, mixed bands and incompatible equipment; and

WHEREAS, while this mixture of unconnected networks has functioned for decades, those on the front line have identified a need to upgrade public safety communications for all first responders serving Greenville County; and

WHEREAS, upgrades to the public safety telecommunications network in Greenville County are needed now as many of our County-wide first responders are using equipment that is nearing end of life and does not allow for interoperability among first responder agencies; and

WHEREAS, a public safety telecommunications network is designed, built and maintained to a higher standard than consumer telecommunications as it must work reliably in emergencies when consumer networks face overload or failure; and

WHEREAS, moving all County-wide public safety telecommunications to a single network platform will promote the safety of life and property in Greenville County by providing much needed modernization of current public safety telecommunications infrastructure, ensures County-wide emergency and public safety telecommunications coverage to all persons and property located in Greenville County, improves County-wide public safety telecommunications coverage and reliability, advances the goal of ensuring interoperable communications for first responders agencies within Greenville County and State-wide, provides significant benefits in crisis management operations where immediate communications can save lives and prevent the loss of property, eases the transition to future technologies while reducing the risks associated with equipment obsolescence, and minimizes capital expenses related to necessary infrastructure upgrades; and

WHEREAS, for almost 25 years Greenville County and its citizens have benefitted from the use of the Road Maintenance Fee as a dedicated source of funding to support the maintenance and improvement of the road system across Greenville County; and

WHEREAS, the South Carolina State Infrastructure Bank provides State funding to local road improvement projects that can provide a strong local match; and

WHEREAS, Greenville County has an opportunity to leverage available Transportation Infrastructure Bank funds to accelerate major GPATS road improvement projects that would alleviate traffic and benefit the citizens of Greenville County; and

WHEREAS, pursuant to Section 4-9-30(5) of the Code of Laws of South Carolina, as amended, the County is authorized and empowered to levy uniform service charges to provide for operations and functions of the county, including, but not limited to public works, roads, and public safety; and

WHEREAS, the County deems it appropriate, desirable and equitable to fund the costs of providing County-wide public safety telecommunications on a common platform through the levy of a uniform user fee on all parcels of real property in Greenville County and to continue to support the maintenance and improvement of the road system across Greenville County with an increase to the Road Maintenance Fee.

NOW, THEREFORE, BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:

Section 1. Authority. Greenville County Council is authorized by Section 4-9-30 of the Code of Laws of South Carolina, as amended, to levy uniform service charges to provide for public works, including roads, and public safety.

Section 2. Public Safety Telecommunications Fee. There shall be a uniform public safety telecommunications user fee of \$14.95 annually imposed upon each parcel of real property located in Greenville County. The public safety telecommunications fee shall be included on real property tax notices in such manner and method as determined by the Greenville County Administrator and collected by the County Tax Collector pursuant to State law. The uniform public safety telecommunications user 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. The proceeds from the collection of such fees shall be deposited into the County general fund special public safety telecommunications account. The proceeds of such fund shall be specifically used for (1) the lease, purchase, lease-purchase, or maintenance of County-wide public safety telecommunications network infrastructure and network components including radios, towers, equipment, 800 MHz service or similar services as technology advances, computer hardware, software and non-recurring costs of establishing the network platform; and (2) rates associated with the network service provider's service and provider's recurring charges. Funds not used in any fiscal year shall be carried forward and used exclusively for the above allowed interoperable public safety telecommunication operations in the County.

Section 3. Road Maintenance Fee Amendment. Section 2 of Ordinance No. 2474, as amended by Ordinance No. 2513, is hereby amended to change the road maintenance fee to Twenty-five and 00/100 Dollars (\$25.00) and the references to the "Department of Revenue and Taxation-Division of Motor Vehicles" is amended to the "South Carolina Department of Motor Vehicles."

Section 4. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Repeal. 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.

Section 6. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2017.

Herman G. Kirven, Jr., Chairman
Greenville County Council

ATTEST:

Theresa Kizer
Clerk to Council

Joseph M. Kernell
County Administrator