

AN ORDINANCE

TO PROVIDE FOR THE MILLAGE RATE TO BE LEVIED BY THE FOUNTAIN INN FIRE SERVICE AREA; TO REAUTHORIZE EXECUTION OF A CONTRACT WITH THE CITY OF FOUNTAIN INN FOR THE CONTINUED PROVISION OF FIRE PROTECTION SERVICES IN THE FIRE SERVICE AREA, AND TO ENDORSE A TEN-YEAR CAPITAL IMPROVEMENT PLAN.

BE IT ORDAINED BY GREENVILLE COUNTY COUNCIL:

Section 1. Findings. The Greenville County Council finds that the County is authorized by Chapters 19, and 21 of Title 4 of the 1976 South Carolina Code of Laws, as amended, to provide fire protection services in certain unincorporated areas of the County. The County Council finds that under Article 8, Section 13 of the South Carolina Constitution, the County may contract with other political subdivisions for the joint administration of any function and exercise of powers. The County Council finds that it has previously established the Fountain Inn Fire Service Area (hereinafter “Fire Service Area”) pursuant to Greenville County Ordinance Number 1277 (as amended). The City of Fountain Inn has presented a budget and millage request to Greenville County Council providing for expenditures of revenues acquired by the Fire Service Area, requested the reauthorization of a ten-year agreement for the Fountain Inn Fire Department to continue providing fire services within the Fire Service Area, and presented an accompanying ten-year Capital Improvement Plan. Greenville County Council is desirous of continuing its arrangement with the City of Fountain Inn for furnishing fire protection services to the Fire Service Area, including fire suppression, first responder, commercial inspections, residential inspections, and arson investigations.

Section 2. Millage and Tax Levy. Greenville County Council approves an ad valorem property tax increase of three and four tenths (3.4) mills bringing the total millage for operations and maintenance to thirty-two and eight tenths (32.8) mills for the Fountain Inn Fire Service Area, which consists of operating millage allowable (CPI and population growth) for FY2021-2022 pursuant to S.C. Code § 6-1-320(A)(1) and operating millage allowed but not imposed for the three preceding property tax years pursuant to S.C. Code § 6-1-320(A)(2). The ad valorem property tax millage increase set forth herein is based on 2020-2021 millage rates and is subject to reassessment year calculations pursuant to S.C. Code § 12-37-251(E) by the County Auditor. The Auditor and Tax Collector of Greenville County are hereby directed to levy and collect the millage rates authorized by this Ordinance.

Section 3. Fire Services Agreement and Ten-Year Capital Improvement Plan. The Chairman of County Council and the County Administrator are authorized to execute a contract with the City of Fountain Inn for fire protection services, including fire suppression, first responder, commercial inspections, residential inspections, and arson

investigations consistent with the provisions of this Ordinance. Furthermore, the Ten-Year Capital Improvement program appearing in Exhibit A is hereby endorsed.

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 _____, 2021.

Willis Meadows, Chairman
Greenville County Council

ATTEST:

Joseph M. Kernell
County Administrator

Regina McCaskill
Clerk to Council