

AN ORDINANCE

TO AMEND ORDINANCE NO. 5779, REGARDING CHAPTER 18, ARTICLE 6, PERMITS FOR ENCROACHMENT, OF THE GREENVILLE COUNTY CODE TO EXPAND THE DEFINITION OF ESSENTIAL UTILITIES.

BE IT ORDAINED by the County Council of Greenville County, South Carolina:

Section 1. Findings. Greenville County Council adopted Ordinance No. 5779 on May 5, 2026 to amend and repeal portions of the Greenville County Encroachment Ordinance. The substantive update established, among other things, regulations and standards for the location, installation, adjustment, restoration, and maintenance of utilities and other uses of County rights-of-way. Essential utilities are eligible to make emergency repairs under the Ordinance due to the necessity of service provided. Currently, the essential utilities are water, sewer, electric, and gas. Greenville County Council now desires to expand the definition of essential utilities to include communication utilities, recognizing that the loss of communication services causes major adverse and detrimental impacts to County residents, businesses, and County operations as whole.

Section 2. Amend Section 18-62 of Ordinance No. 5779 as follows:

EMERGENCY REPAIR – Work resulting from an unscheduled disruption of essential utilities (water, sewer, electric, communication, and gas).

Section 3. Amend Section 18-63(F)(1) of Ordinance No. 5779 as follows:

F. Unexpected Conditions

1. **Emergency Repairs**

- An emergency repair is work resulting from an unscheduled disruption of essential utilities (water, sewer, electric, communication, and gas).
- The Applicant must notify the Division of an emergency repair within 24 hours and must submit an encroachment permit within 5 business days.
- Planned, coordinated, or scheduled repairs are not considered emergency repairs.

Section 4. Severability. 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, that decision shall not affect the validity of the remaining portions of this Ordinance or of Ordinance No. 5779, as amended, which shall remain in full force and effect.

Section 5. Effective Date. This Ordinance becomes effective upon adoption.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2026.

ATTEST:

Benton Blount, Chairman
Greenville County Council

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator