

SECTION 1. Findings.—The General Assembly finds that in order to encourage the formation of a credit union, the School District of Greenville County did advance to the Greenville Educators Federal Credit Union the sum of four thousand three hundred thirty-six dollars which was the office manager's salary during the first year of operation of such credit union. It further finds that the credit union is an asset to the school district in the nature of a fringe benefit for district employees in that it enables members thereof to borrow funds at a low rate of interest thereby improving the financial stability of district employees and the quality of their service.

SECTION 2. Contribution ratified.—The contribution of the School District of Greenville County in the amount of four thousand three hundred thirty-six dollars to aid in the establishment of the Greenville Educators Federal Credit Union is hereby ratified as a legitimate expense of the district for educational purposes and the amount listed in the records of the district as an account receivable from the Credit Union shall be cancelled.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 22nd day of June, 1971.

(R724, H2215)

No. 761

An Act To Amend Act No. 1543 Of 1968, As Amended, Relating To The Greater Greenville Sanitation District In Greenville County, So As To Further Provide For The Powers And Duties Of The Greater Greenville Sanitation Commission.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Greater Greenville Sanitation District.—Act No. 1543 of 1968, as amended, is further amended to read as follows:

"Section 1. There is hereby created The Greater Greenville Sanitation District which shall include the following described area in Greenville County:

Beginning at a point, said point being the intersection of Interstate 85 and the Reedy River, thence in a northerly direction along the Reedy River to its intersection with S. C. 291; thence in a

southwesterly direction along S. C. 291 to its intersection with Mauldin Road; thence in a northwesterly direction along Mauldin Road to the corporate limits of Greenville; thence along the Corporate limits of Greenville to its intersection with the southern corporate limits of City View; thence along the corporate limits of City View to its intersection with the corporate limits of Greenville on the north; thence along the corporate limits of Greenville to the intersection of S. C. 291 and East North Street (Old Spartanburg Road); thence along East North Street (Old Spartanburg Road) to a point approximately 150 feet west of the southwestern corner of East North Street (Old Spartanburg Road) and Rockmont Road; thence in a southerly direction along approximately 150 feet west of and along Rockmont Road to Butler Springs Road; thence along a line 150 feet east of Rockmont Road to a point approximately 150 feet east of Meadowcrest Circle; thence in a northerly direction to a point at the intersection of East North Street (Old Spartanburg Road) and Shannon Drive; thence in an easterly direction along East North Street (Old Spartanburg Road) to its intersection with Richbourg Road; thence in a northerly direction along Richbourg Road to Brushy Creek; thence in an easterly direction along Brushy Creek to its intersection with Howell Road; thence in a southerly direction along Howell Road to East North Street (Old Spartanburg Road); thence in a westerly direction along Old Spartanburg Road (East North Street) to the intersection of Old Spartanburg Road (East North Street) and Butler Springs Road; thence in a southerly direction along Butler Springs Road to the intersection of Spring Forest Road; thence in a southeasterly direction along Spring Forest Road to its intersection with Howell Circle; thence in a northerly direction along Howell Circle to its intersection with Old Spartanburg Road (East North Street); thence in an easterly direction along Old Spartanburg Road (East North Street) to a point approximately 200 feet east of Mitchell Road; thence in a northwesterly direction along a straight line to a point approximately 150 feet east of the Edwards Road and Howell Road intersection; thence in a northeasterly direction along a line approximately 150 feet east of Edwards Road to a point at the intersection of East Lee Road, Brushy Creek Road, and Osborn Lane; thence in a westerly direction along East Lee Road to its intersection with Watson Road; thence in a northerly direction along Watson Road to a point approximately 150 feet north of Wade Hampton Boulevard (U. S. 29);

thence in a southwesterly direction along a line approximately 150 feet north of Wade Hampton Boulevard (U. S. 29) to a point, said point being the end of a Southern Railroad spur line; thence in a northerly direction along said spur line, crossing Warehouse Court to Rutherford Road; thence in a westerly direction along Rutherford Road to a point approximately 150 feet east of the intersection of Rutherford Road and Ridge Street; thence along a line approximately 150 feet on the north side of Ridge Street to Camp Street; thence in a northerly direction along Camp Street to its intersection with Spring Street; thence in a westerly and northerly direction to a point approximately 150 feet southeast of the intersection of Caroline Street and Piedmont Park Road; thence along a line approximately 150 feet south of Caroline Street to the end of Caroline Street; thence along a line 150 feet east and north of Caroline Street to a point at the intersection of Paris Mountain Road and Mountain Creek Road; thence along a line 150 feet North of Paris Mountain Road to Reservoir Road; thence in a northerly direction along Reservoir Road to a point 150 feet north of Buckhorn Road, said point being the northern limits of the Piedmont Park Fire District; thence in a westerly and southerly direction along the Piedmont Park Fire District boundary to its intersection with the northern limits of the Paris Mountain Water District; thence along the northern limits of the Paris Mountain Water District to its intersection with the northwesterly boundary line of the Hillandale Water District; thence along the northwesterly limits of the Hillandale Water District to its intersection with Old Buncombe Road; thence southward along the Old Buncombe Road to Duncan Chapel Road; thence in a northwesterly direction along Duncan Chapel Road to a point approximately 150 feet north of Zelma Drive; thence in a westerly direction along a line approximately 150 feet north of Zelma Drive to the Greenville and Northern Railroad; thence along the Greenville and Northern Railroad to Watkins Bridge Road; thence along Watkins Bridge Road to the northeasterly limits line of the Berea Water and Sewer District, said line being coterminous with the Reedy River; thence in a northerly, westerly, and southeasterly direction along the Berea Water and Sewer District boundary line to its intersection with the northwesterly boundary line of the Parker Water and Sewer Subdistrict; thence along the northwesterly boundary line of the Parker Water & Sewer Subdistrict line to a point approximately 150 feet west of the westerly end of Lewis Street; thence

along a straight line southward to a point approximately 400 feet south of the New Easley Highway; thence westerly to a point approximately 150 feet west of River Oaks Drive; thence southwardly along a line 150 feet west of River Oaks Drive and Tanglewood Drive to the intersection of Old Easley Bridge Road and Old Duncan Bridge Road intersection; thence in a southerly direction along Old Duncan Bridge Road and Dogwood Lane; thence continuing with the present district line of 164 to the center line of the New Dunham Bridge Road to approximately 500 feet past Hollywood Drive to the back property lines of Vardry Vale; thence along lot numbers 84, 85 and 86 approximately 200 feet from Hollywood Drive; thence 200 feet parallel and therewith to the Anderson Road; thence with Anderson Road in a northerly direction to the present line of district 164; thence in a southerly direction along a line 600 feet west of White Horse Road to the west lot line of the Carolina High School; thence following the Carolina High School lot line to a point approximately 150 feet west of the intersection of Staunton Bridge Road and White Horse Road; thence along a line approximately 150 feet west of White Horse Road to its intersection with the Piedmont and Northern Railroad; thence in a southerly direction along the Piedmont and Northern Railroad to Helen Drive; thence in an easterly direction along Helen Drive to a point approximately 600 feet east of Helen Drive and the Piedmont Highway (S. C. 20) intersection; thence from said point in an easterly direction along a straight line to a point in the Mann property; thence in a southerly direction approximately 1,000 feet to the joint rear corner of lot 61 of section two, Pecan Terrace and the Mann property; thence along the rear line of lots number 61 through 70 of section two, Pecan Terrace; thence in a easterly direction from the rear corner of lot 70 of section two, Pecan Terrace to front corner of lot 82 of section two, Pecan Terrace and the center of Augusta Road; thence in a northeast direction with the said road, Augusta Road, to the intersection of Rocky Knoll Drive, Southern Railroad, and Augusta Road (U. S. 25); thence along Rocky Knoll Drive to Mayflower Avenue; thence in a northerly direction along Mayflower Avenue to Donaldson Road (Air Base Road); thence in a northerly direction along Donaldson Road (Air Base Road) to Augusta Road (U. S. 25); thence along Augusta Road (U. S. 25) to its intersection with Interstate 85; thence eastward along Interstate 85 to the Point of Beginning. Said area excludes within the above boundary that area known as the Northwood Hills Subdivision.

Section 2. The district shall be governed by a commission to be known as the Greater Greenville Sanitation Commission composed of five members who are residents of the district who shall be appointed by the Governor upon the recommendation of a majority of the Greenville County Council for terms of five years and until their successors are appointed and qualify. The members of the commission shall meet as soon after their appointment as practicable and select a chairman and such other officers as they deem necessary, such officers to serve at the pleasure of the commission. Following such determination, the chairman shall notify the Clerk of Court of the county, the Greenville County Council, the Secretary of State and the legislative delegation of the county. The terms of members of the commission shall be staggered and present members of the commission shall continue to serve until the expiration of their respective terms. No member of the commission appointed after this act shall serve more than two consecutive terms.

Section 3. The commission shall have the following powers and duties:

- (a) To sue and be sued;
- (b) To adopt, use and alter a corporate seal;
- (c) To define a quorum for its meetings;
- (d) To make such bylaws, rules and regulations as it deems necessary and proper for the orderly and efficient management and regulation of its affairs;
- (e) To acquire, by gift, purchase, or otherwise, lands or interests therein;
- (f) To expend for the purpose of performing the duties and functions herein provided, all moneys received through the direct collection by the commission of fees, from taxes and fees received from the county treasurer, or otherwise;
- (g) To collect refuse, garbage and trash within the district and outside the district to the extent authorized hereunder, to make disposition thereof, and to otherwise engage in the operations of dumps or landfills for the orderly disposal of refuse, garbage and trash within Greenville County;
- (h) To designate routes and determine the frequency, method, systems, procedures and conditions for the regular and systematic collection of refuse, garbage and trash;
- (i) To appoint officers, agents, employees and servants, to prescribe duties of such, to fix their compensation, and to determine if

and to what extent they shall be bonded for the faithful performance of their duties;

(j) To purchase, lease, or otherwise acquire, lands, buildings and equipment necessary to the performance and administration of the affairs of the district;

(k) To establish from time to time appropriate fees for services provided in the collection and disposition of refuse, garbage and trash, and the establishment, maintenance and use of landfill sites for disposal of garbage, trash and waste materials; *provided*, however, that such fees shall be based upon the nature, type and frequency of services provided, giving consideration to the revenues derived from the individual properties served by the tax levy authorized by Section 6, and that the proposed schedule of fees to be charged each year, together with an explanation of how such fees were computed, shall be submitted to Greenville County Council for its approval and shall be published in a newspaper of general circulation within Greenville County prior to becoming effective; *provided*, further, that upon failure of Greenville County Council to approve or disapprove the proposed fee schedule within thirty days after its submission to such council, approval will be considered to have been granted;

(l) To periodically collect, hold, administer, and temporarily invest all fees charged for providing services other than annual fees charged for services provided for single family residences, which fees shall be collected in the manner provided by Section 5 hereof;

(m) To incur for any fiscal year indebtedness in anticipation of the collection of taxes and fees which have been levied;

(n) To notify the county auditor, by such time each year as may be required by such official, of the schedule of fees to be charged for services provided for single family residences;

(o) To enter into contracts and do such other acts as may be required to carry out the purposes of the district.

Section 4. The operation of the district shall be financed by sums received from the following sources:

(a) The county auditor shall levy and the county tax collector shall collect from each property owner an annual tax of the number of mills directed by the commissioners, subject to approval by Greenville County Council, on the assessed value of all taxable property within the district. In submitting the proposed annual mills to Greenville County Council for approval, the commission shall provide a budget reflecting income expected to be received from payment of

fees, or otherwise, and showing costs of operating and maintaining the district and its property, additions, or proposed additions to equipment, and any other anticipated expenses and disbursements. The tax collector shall collect all taxes and transfer them to the county treasurer as is provided by law. The county treasurer shall keep the taxes so collected in a separate fund applicable solely for the use of the district;

(b) The commission may establish from time to time appropriate fees, as provided in Section 3 (k), which shall be charged to each property owner within the district. Prior to the furnishing of any services for which the prescribed fee shall become a lien on the property affected, pursuant to item (c) of this section, and prior to any subsequent increase in such fee, not less than thirty days' written notice shall be given to the affected property owner notifying him of the nature and quantum of the charge and providing such property owner with an opportunity, if desired and requested, to appear and be heard in person or by counsel before the commission. Following such hearing, if such be required and heard, action taken by the commission and notice of the decision shall be given to the property owner concerned or his counsel, as the case may be, not less than fifteen days prior to the effective date of the fee. Any property owner aggrieved by the action of the commission may proceed by certiorari in the Court of Common Pleas for Greenville County to have such court review the action so taken, at which time the court shall determine the validity and reasonableness of the charge so made. Fees not intended to become liens in the case of nonpayment can be imposed and subsequently increased upon any property owner in the district without such notice and hearing. Notices provided herein may be given by publishing in a newspaper of general circulation within Greenville County or by written notice mailed or delivered to the affected property owner;

(c) If the notice or notices prescribed by item (b) of this section shall have been given and any hearing requested pursuant thereto shall have been held, all fees imposed by the commission following that procedure under authority of this act when due and payable shall be and constitute a lien upon the real estate served as long as the fees or charges remain unpaid. In addition to such other rights and remedies as may be available to the commission in law or in equity for collection of the fees, the lien may be enforced by the

commission in the same manner and fashion as the lien of the property taxes upon real estate.

The method provided in this act for the enforcement of the collection of past due fees by creating them as liens against real property shall not be the exclusive method of enforcing such collection and the commission is duly empowered to enforce the collection of any such charges in any other lawful manner in all or part of the district;

(d) Annual fees for services provided for single family residences shall be paid by the property owner within the district to the tax collector at the same time property taxes are paid. Fees so collected shall be transferred by the tax collector to the county treasurer as is now provided by law and the county treasurer shall keep the fees so received in a separate fund applicable solely for the use of the district. Fees charged by the commission for special services provided, for providing service to newly-annexed areas or to properties added or constructed within the district during the interim period prior to such property being assessed or charged the annual fees and taxes herein provided, and, commencing January 1, 1972 for services provided to business, commercial and industrial establishments, shall be periodically collected by the commission and become a part of the funds of the district. The commission shall have the right and power to discontinue services to any property for which taxes and fees are unpaid or where the lessee, tenant or owner-occupant of the property fails to or refuses to comply with the rules and regulations from time to time promulgated by the commission.

Section 5. The commission may negotiate and contract with individuals or business, commercial and industrial establishments not within the district to provide refuse, garbage and trash collecting services to such parties upon terms and conditions agreeable to the parties, but shall not render services outside of the district at rates less than rates then being paid for comparable services by individuals or business, commercial and industrial establishments within the district.

Section 6. The commission shall be authorized to annex to the district any area in which a majority of the freeholders by petition in writing request that they be taken into the district. Each petition must have attached to it a survey or plat showing the area to be taken into the district. A hearing by the commission regarding the acceptance or rejection of the petition shall be held after at least one week's

notice thereof is given by publishing same in a newspaper of general circulation in the county, stating the time, place and purpose of the hearing, and clearly defining the area under consideration may be taken into the district upon approval of a majority of the members of the commission.

Section 7. Upon the new area becoming a part of the district, or upon the addition or construction of facilities to be served on properties within the district, such property shall be entitled to all of the benefits and services rendered to the property owners within the district and such property owners shall be obligated for payment of all taxes and fees charged to such other property owners; *provided*, however, that in order to cover the cost of providing services to the area annexed or properties added during any interim period prior to such property being assessed or charged the annual fees and taxes otherwise authorized herein, the commission may charge and collect from such property owners an interim fee which shall be a pro rata amount of the aggregate annual fee and taxes which would have been charged had the property been a part of the district at the beginning of the year in which it is annexed or added. All such fees shall become a part of the funds of the district.

Section 8. The commission shall use as a basis for conducting the affairs of the district the same fiscal year as is practiced by Greenville County. The district shall, as soon as practicable after the close of the fiscal year, cause a complete audit of its affairs to be made by a certified public accountant in good standing and, upon completion of the audit, a copy of the audit, along with a comprehensive report of the affairs of the district for the year, shall be filed with the Greenville County Council."

SECTION 2. Act 694 of 1969 to remain in effect.—Act No. 684 of 1969 is not repealed hereby, but shall remain in full force and effect.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 25th day of June, 1971.