



STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR FAIRFIELD COUNTY
ORDINANCE NO. 587

AUTHORIZING THE DISSOLUTION OF THE FAIRFIELD COUNTY RURAL FIRE BOARD BY REPEALING ALL PRIOR ORDINANCES THAT REFER TO THE RURAL FIRE BOARD; ESTABLISHING THE FAIRFIELD COUNTY FIRE COMMISSION UNDER THE AUSPICES OF THE COUNTY ADMINISTRATOR; AUTHORIZING THE FIRE COMMISSION TO PROVIDE THE COUNTY CITIZENS WITH THOSE SERVICES PREVIOUSLY PROVIDED BY THE RURAL FIRE BOARD; PROVIDING FOR THE FUNDING OF THE PROVISION OF FIRE SERVICES BY ESTABLISHING A SPECIAL TAX DISTRICT; AND OTHER RELATED MATTERS.

WHEREAS, Fairfield County, South Carolina ("County") acting by and through its County Council ("County Council") created the Fairfield County Rural Fire Board ("Fire Board") to provide fire protection services to the unincorporated areas of the County, and, in other areas as permitted by law or agreement;

WHEREAS, the Fire Board has requested that the County itself provide the services for which the County created the Fire Board to provide and requested that the County change the Fire Board to an advisory committee;

WHEREAS, the County, acting by and through its County Council, desires to change the Fire Board to an advisory committee by repealing all prior ordinances that refer to the Fire Board;

WHEREAS, the County is authorized and empowered under and pursuant to the provisions of the South Carolina Constitution ("Constitution") and the provisions of the Code of Laws of South Carolina 1976, as amended, ("Code") and specifically, Chapter 9 of Title 4 of the Code ("Act"), and the case law of the courts of the State of South Carolina, to provide fire protection services and operate a fire protection system;

WHEREAS, the County is authorized and empowered by the Act to fund the provision of fire protection services by creating special tax districts and levying *ad valorem* property taxes and collecting service charges in the special tax districts in amounts commensurate with the fire protection service provided in each special tax district;

WHEREAS, the County desires to provide fire protection services to all of the unincorporated areas of the County, and, in other areas as permitted by law or agreement, and desires to designate all of the unincorporated, and, in other areas as permitted by law or agreement, areas of the County as a special tax district;

WHEREAS, the County is authorized by the Act to create a division of the County to operate the special tax district; and

WHEREAS, the County desires to create a division or department under the County Administrator to operate the special tax district.

NOW, THEREFORE, BE IT RESOLVED by the County Council of Fairfield County, South Carolina as follows:

Section 1. The County Council hereby repeals all prior ordinances that refer to the Fire Board.

Section 2. The County Council hereby creates a special tax district that includes all of the unincorporated areas in the County, and, in other areas as permitted by law or agreement, and in which the County will provide fire protection services. The County will levy an *ad valorem* tax or collect a charge within the special tax district to fund the provision of fire protection services within the special tax district.

Section 3. The County Council establishes an administrative division or department under the County Administrator to operate the special tax district. The former members of the Fire Board may serve as an advisory committee, with the advisory committee's members to be appointed by the County Council in the same time and manner as the County Council previously appointed the Fire Board's members. The County Council authorizes the County Administrator to administer the division or department as any other department of the County.

Section 4. The County Council agrees to take whatever further action and execute whatever further instruments as may be appropriate to effect the intent of this Ordinance. The Chairman of the County Council ("Chairman") and in the Chairman's absence, the Vice-Chairman, the County Administrator, and the Clerk to Council, and various other County staff, as appropriate, are authorized to act on behalf of the County in effecting the intent of this Ordinance.

Section 5. In addition to the ordinances repealed by Section 1 of this Ordinance, an ordinance, resolution, or other order of County Council, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 6. This Ordinance is effective after third reading and a public hearing.

FAIRFIELD COUNTY, SOUTH CAROLINA



David L. Ferguson Sr.

David L. Ferguson Sr., Chairman of County Council
Fairfield County, South Carolina

(SEAL)
ATTEST:

Shryll M. Brown

Shryll M. Brown, Clerk to County Council
Fairfield County, South Carolina

READINGS:

First Reading: April 11, 2011
Second Reading: April 18, 2011
Public Hearing: April 25, 2011
Third Reading: April 25, 2011