

- (4) Prior to any construction, installation, erection or repair of any such improvements and appurtenances on, over, under or across such streets or property as may be authorized by such easement, the grantee shall notify the County Department of Public Works, the County Sheriff's Department and the County Administrator at least forty-eight (48) hours in advance.
  
- (5) The grantee shall provide the County Administrator and/or his designee(s) or his designee with certificate(s) of insurance verifying the grantee currently has the insurance required by the County. All such insurance policies shall be issued by an insurer satisfactory to the County, and the insurer shall have a rating in the A categories of Best Insurance Reports. The certificate(s) shall include a provision that not less than 30 days notice will be given to the County prior to cancellation, termination or reduction in coverage. In addition, the grantee shall also provide such prior notice to the County Administrator and/or his designee(s). The term of all insurance shall be not less than any time the grantee or anyone with a contract to perform work on the grantee's projects shall be performing such work. Insurance shall consist of the following:
  - a. At its expense the grantee shall for the term required by the County maintain a commercial general liability policy for bodily injury, personal injury, completed operations and property damage in a coverage amount of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate, and a business auto policy for bodily injury and property damage in a coverage amount of not less than \$1,000,000 per occurrence. The forms shall be ISO (Insurance Services Office, Inc.) or comparable to them. Fairfield County Government shall be named an additional insured, except when the grantee is a governmental entity. Grantee shall provide its insurer a copy of any agreement with or requirement by the grantee regarding insurance.
  
  - b. At its expense the grantee shall for the term required by the County maintain the workers' compensation coverage required by S.C. law. The grantee shall provide a certificate for insurance for this coverage in the manner required by this subsection (5).
  
- (6) The grantee shall indemnify and hold harmless the County, its successors and assigns, from and against all loss, costs, expenses, including attorneys' fees, claims, suits and judgments whatsoever in connection with injury to or death of any person or persons or loss of or damage to property, and further claims, suits and judgments whatsoever in connection with injury to or death of any person or persons or loss of or damage to property, and further claims, suits and judgments whatsoever by third parties resulting from the interruption of traffic caused by or in any way connected with the construction, installation, erection, repair or maintenance, use or presence of any such improvements or appurtenances, however caused.

- (7) The grantee shall bear all costs of furnishing flagging protection, warning devices and inspection services, as well as the costs of restoring the affected area to its original condition.

(b) Fees, charges or water rents.

- (1) In consideration for the granting of such easements by the County, the grantee shall pay to the County such fees, charges, or portions of fees and water rents as shall be from time to time established by the County Council.
- (2) Initial fees, charges, water rents or portions thereof shall be those as are in force and effect at the time the easement is granted and shall be remitted to the County Finance Department on a monthly basis.
- (3) Prior to any increase in fees, charges or water rents, at least thirty (30) days' notice prior to the effective date shall be given to those grantees so affected.
- (4) Any grantee affected by any such increase may request a hearing by County Council or its duly authorized representative, provided such hearing is requested in writing within twenty (20) days of the giving of notice as required in subsection (b)(3) of this Section.
- (5) Such request for hearing shall stay the implementation of such increase for an additional fifteen (15) days beyond the thirty-day notice period, but thereafter such increase shall go into effect and so continue until such time as changed by County Council, general law, or a court of competent jurisdiction.
- (6) Such increase as is collected subsequent to such request for hearing shall be placed in escrow pending a ruling by County Council. In the event of a reduction of the increase, such difference shall be refunded to the grantee.
- (7) Only that increase collected from a grantee that has requested a hearing shall be so escrowed. Increases collected from grantees that do not request a hearing will not be escrowed.
- (8) In the event County Council, after hearing, refuses to reduce the increase, the funds so escrowed shall immediately revert to the general fund or such other fund as has been designated by County Council.
- (9) In the event the hearing provided for in subsection (b) (4) of this Section is held by the duly authorized representative of County Council, the representative shall report his/her findings and recommendations to County Council within ten (10) working days thereafter.
- (10) The failure of County Council to affirmatively reduce the increase by the second meeting after a receipt of such report shall constitute a ratification of its previous action establishing such increase.

**Sec. 1-35. Adoption not to constitute waiver.**

(a) The adoption of this chapter shall not be deemed an acceptance of liability nor a waiver of the doctrine of sovereign immunity.

(b) The adoption of this chapter shall not be deemed a waiver of the release clause contained in the standard easement and right-of-way deed.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

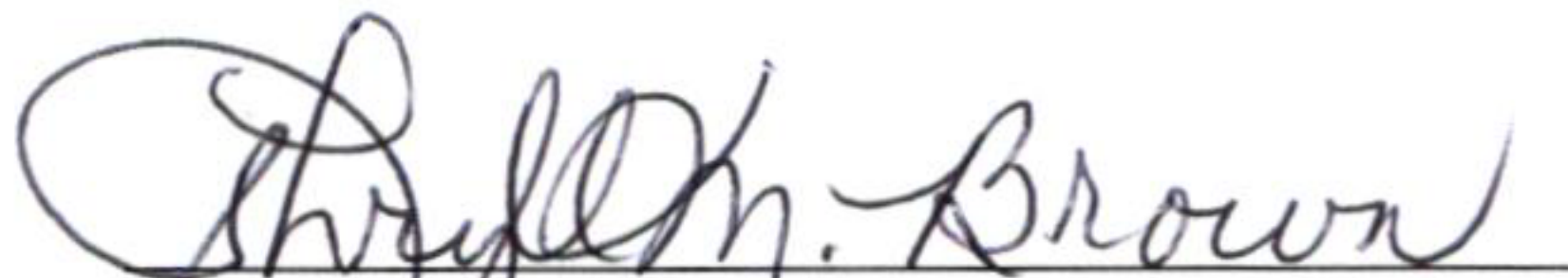
SECTION III. Conflicting Ordinances Repealed. This ordinance replaces ordinance number 75 in its entirety, and all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

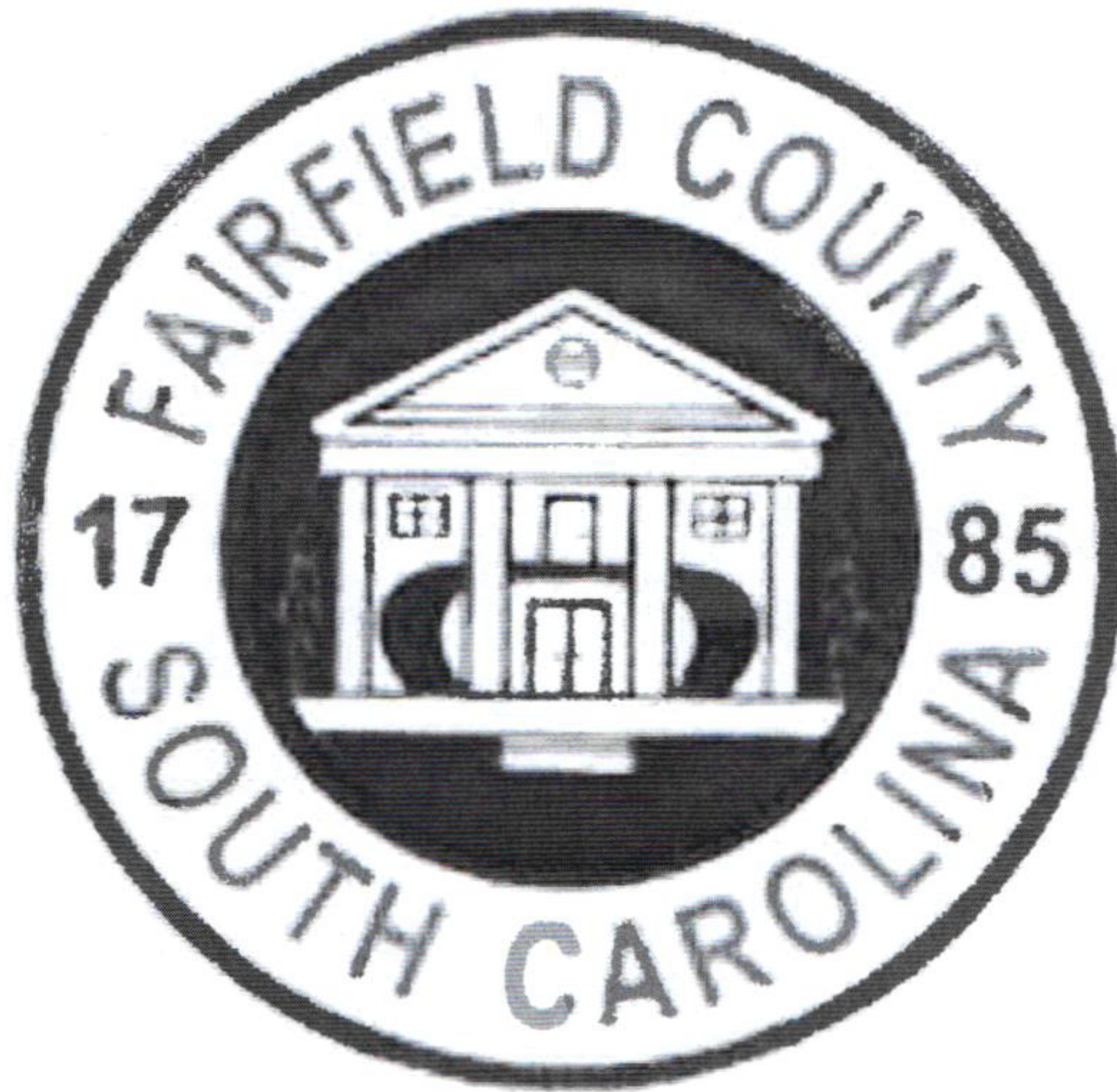
SECTION IV. Effective Date. This ordinance shall go into effect upon its adoption by the  
Fairfield County  
Council.

ADOPTED THIS 22nd DAY OF July, 2013 BY ORDER OF  
THE FAIRFIELD COUNTY COUNCIL.

  
David L. Ferguson, Chairman

ATTEST:

  
Shryll M. Brown, Clerk of Council



***Fairfield County Road  
Inventory Revised September  
2012***



**Master List**

**As of September 2012**

**Revised to Include New District Boundaries**

**Fairfield County Road Inventory  
As Revised September 2012**

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# **INTRODUCTION**

September 17, 2012

To: Fairfield County Council and CTC

This notebook contains an updated Fairfield County road inventory effective September 2012, based on County Ordinance 583 dated April 25, 2011, which amended County Ordinance 517. The new minimum width to qualify for road improvements is 12' wide, unobstructed.

This notebook has been updated to include new districts created by the 2010 census and roads that were paved in the 2012 paving program

This replaces Master List of March 2011.

**DOCUMENT WHICH ESTABLISHED PRIORITY POINTS WAS DONE BY OTHERS.**