



**Committee on Public Works and
Infrastructure**

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COMMITTEE ON PUBLIC WORKS AND INFRASTRUCTURE

Agenda Item No.5 PWI-5 Meeting Date: February 18, 2014

REQUEST FOR COMMITTEE ACTION

To: Chairman Payne, Committee on Public Works and Infrastructure
From: Paula Gucker, Assistant County Administrator, Community Planning, Development and Public Works
Department: Public Works

Item Title: Brutontown Special Tax District Referendum

Action Taken by Committee previously (include dates when Item was discussed):

Motion Requested Today: Approval

Staff Recommendation:

Impact of Action:

Funding Amount/Source:

Requested by:

Staff Representative: Kim Wunder, Assistant County Attorney

List of Attachments:

▪

2-13-14
Date Submitted

Approved by the County Administrator

23
Council District

A RESOLUTION

TO CERTIFY A PETITION CALLING FOR A POPULAR REFERENDUM TO DETERMINE IF THE BRUTONTOWN SPECIAL TAX DISTRICT SHALL BE CREATED TO PROVIDE FOR STREET LIGHTING WITHIN THE PROPOSED DISTRICT, TO DIRECT THE GREENVILLE COUNTY ELECTION COMMISSION TO HOLD AN ELECTION AND CERTIFY THE RESULTS OF THE ELECTION TO COUNTY COUNCIL.

WHEREAS, Greenville County Council has received a petition signed by individuals registered to vote within the proposed Brutontown Special Tax District (the “District”) requesting that County Council call for an election to determine whether the District should be created for the purpose of providing street lighting;

WHEREAS, pursuant to Section 4-9-30(5)(a)(i) of the South Carolina Code of Laws (“S.C. Code Ann.”),

When fifteen percent of the electors in a proposed special tax district sign and present to the county council a petition requesting the creation of a special tax district, an election must be held in which a majority of the electors in that area voting in the election shall approve the creation of the special tax district, the nature of the services to be rendered and the maximum level of taxes or user service charges, or both, authorized to be levied and collected. The petition must contain a description of the proposed special tax district, the elector’s signature and address. If the county council finds that the petition has been signed by fifteen percent or more of the electors resident within the area of the proposed special tax district, it may certify that fact to the county election commission.

WHEREAS, the costs of the street lighting within the District is to be funded by annual fees on all real property within the District based upon a classification of “improved property” or “unimproved property”;

WHEREAS, the annual fee on “improved property” will be \$50.00 and on “unimproved property” will be \$25.00;

WHEREAS, “improved property” will include any real property with either a residential, commercial, and/or institutional structure on it; all other real property will be classified as “unimproved property”;

WHEREAS, “unimproved property” may be reclassified as “improved property” when a residential, commercial, and/or institutional structure is built upon it; and

WHEREAS, County Council hereby certifies that at least fifteen percent (15%) of the electors residing within the District have submitted a petition to County Council meeting the requirements of S.C. Code Ann. § 4-9-30(5)(a)(i).

NOW THEREFORE, BE IT RESOLVED that County Council hereby directs the Greenville County Election Commission to conduct an election on Tuesday, May 6, 2014 within the District on the following question:

- (1) Do you favor the creation of a special tax district, to be called the Brutontown Special Tax District, for the purpose of providing street lighting within the proposed district, and do you favor the imposition of an annual fee of \$50.00 on all improved real property located within the district and an annual fee of \$25.00 on all unimproved real property located within the district in order to provide sufficient annual revenue to fulfill the purpose for which the district is to be created?

Yes _____

No _____

BE IT FURTHER RESOLVED that the Greenville County Election Commission is requested to certify the results of the election to County Council.

DONE IN REGULAR MEETING THIS _____ DAY OF _____, 2014.

Bob Taylor, Chairman
Greenville County Council

Joseph M. Kernell
County Administrator

ATTEST:

Theresa B. Kizer
Clerk of Council