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ORDINANCE NO. \_\_\_\_

**AN ORDINANCE CREATING THE BEREA FIRE SERVICE AREA, GANTT FIRE SERVICE AREA, PARKER FIRE SERVICE AREA, TAYLORS FIRE SERVICE AREA, AND WADE HAMPTON FIRE SERVICE AREA, EACH IN GREENVILLE COUNTY, SOUTH CAROLINA, AND BOARDS OF FIRE CONTROL FOR EACH SUCH FIRE SERVICE AREA, APPROVING THE ANNUAL LEVY AND COLLECTION OF AD VALOREM TAXES AND/OR THE IMPOSITION OF RATES AND CHARGES FOR THE OPERATION AND MAINTENANCE THEREOF WITHIN EACH FIRE SERVICE AREA, APPROVING THE ISSUANCE OF GENERAL OBLIGATION BONDS ON BEHALF OF EACH SUCH FIRE SERVICE AREA, AND OTHER MATTERS RELATING THERETO**

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**FIRE SERVICE AREA  
ORDINANCE**

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\_\_\_\_\_, 2020

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NOW THEREFORE, BE IT ORDAINED, by the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), in meeting duly assembled:

## ARTICLE 1

### FINDINGS OF FACT

**Section 1.1 Findings.** The County Council makes the following findings of fact in connection with the enactment of this ordinance (this “*Ordinance*”) and the establishment of the “Berea Fire Service Area,” “Gantt Fire Service Area,” “Parker Fire Service Area,” “Taylors Fire Service Area,” and “Wade Hampton Fire Service Area” (each a “*Fire Service Area*”) pursuant hereto:

(a) Pursuant to the provisions of Title 4, Chapter 19 of the Code of Laws of South Carolina 1976, as amended (the “*Fire Service Area Act*”), the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), is empowered to establish, operate, and maintain a system of fire protection facilities within designated areas of the County in order to provide the residents and property owners who reside and own property located within the designated areas with fire protection service (“*Fire Service*”).

(b) Pursuant to various acts and joint resolutions of the General Assembly of South Carolina, there have been created within the County several special purpose districts authorized to provide Fire Service, sewer collection service, and other governmental services within their respective boundaries: namely, Berea Public Service District (“*Berea*”); Gantt Fire, Sewer and Police District (“*Gantt*”); Parker Sewer and Fire Sub-District (“*Parker*”); Taylors Fire and Sewer District (“*Taylors*”); and Wade Hampton Fire and Sewer District (“*Wade Hampton*”, and collectively with Berea, Gantt, Parker, and Taylors, the “*Fire/Sewer Districts*”).

(c) Pursuant to Ordinance No. [ ] of the County Council, dated [ ], 2020 (the “*Consolidation Ordinance*”), and the authorizations contained in Title 6, Chapter 11, Article 3 of the Code of Laws of South Carolina 1976, as amended, the County Council has effected the consolidation (the “*Consolidation*”) of the Fire/Sewer Districts into the Metropolitan Sewer Subdistrict (“*Metro*”), such that upon the effective date of the Consolidation, as determined in accordance with the Consolidation Ordinance (the “*Consolidation Effective Date*”), Metro shall be reconstituted to succeed to the powers, geographic boundaries, property interests, and liabilities of the Fire/Sewer Districts and the corporate existence of the Fire/Sewer Districts shall cease. Pursuant to the Consolidation Ordinance, the County Council has adopted a Plan of Consolidation of Sewer Collection Systems (the “*Consolidation Plan*”), setting forth the process and outcomes of the Consolidation and mutual expectations of the County and Metro in connection with the Consolidation.

(d) The County Council has determined, as a fact and after appropriate investigation that Fire Service may be effectively and efficiently delivered in the geographic boundaries for Fire Service of each of the Fire/Sewer Districts through the establishment of a Fire Service Area coterminous with the Fire Service boundaries of each such Fire/Sewer District.

(e) Pursuant to Section 4-19-10(b) of the Fire Service Area Act, the County may not designate an area of the County where it may furnish Fire Service if Fire Service is then being furnished by some other political subdivision. As of the Effective Date, Metro shall have succeeded to the powers of the Fire/Sewer Districts to provide for Fire Service within each of their former boundaries. Pursuant to a resolution of the Metropolitan Sewer Subdistrict Commission (the “*Metro Commission*”) dated [\_\_\_], 2020, to the extent required under Section 4-19-19(b) of the Fire Service Area Act, Metro has agreed that the County shall provide Fire Service within the former boundaries for Fire Service within each of the Fire/Sewer Districts and shall bear the cost of providing such Fire Service. The effectiveness of the Consolidation is considered to be a legal prerequisite to the effectiveness of the establishment of the Fire Service Area.

(f) Pursuant to the Fire Service Area Act, by resolution adopted on November 3, 2020, the County Council ordered that a public hearing be held on the question of the establishment of each of the Fire Service Areas. Notices of the public hearings on the question of the establishment of each such Fire Service Area were published in a newspaper of general circulation in the County once a week for three successive weeks, on [\_\_\_], 2020, [\_\_\_], 2020, and [\_\_\_], 2020, and the public hearings were held on November 23, 2020. The public hearings were conducted publicly and both proponents and opponents of establishment of each Fire Service Area were given the full opportunity to be heard.

(g) Although each the Fire Service Areas established hereunder are established as separate and distinct Fire Service Areas, the County Council has determined that the establishment thereof is part of a concerted undertaking and that, therefore, the establishment of the Fire Service Areas is appropriately carried out through the enactment of a single ordinance.

(h) Subsequent to the holding of the public hearing, the County Council hereby finds and determines that the establishment of the Fire Service Areas satisfies the requirements and conditions set forth in Sections 4-19-10 and 20 of the Fire Service Area Act and is now minded to establish the Fire Service Areas, as further described herein.

[End of Article 1]

## ARTICLE 2

### ESTABLISHMENT OF BEREA FIRE SERVICE AREA

#### Section 2.1 Establishment and Funding.

(a) *Establishment of Berea Fire Service Area; Boundaries.* As of the Effective Date, as defined and determined pursuant to Section 7.2 of this Ordinance, there shall hereby be established the Berea Fire Service Area. The boundaries of the Berea Fire Service Area shall be coterminous with the former Fire Service boundaries of Berea, as shown on the map attached to this Ordinance at **Exhibit A**.

(b) *Authorization for Ad Valorem Taxes and Rates and Charges.* There is hereby authorized an annual levy by the County Auditor of Greenville County (the “**County Auditor**”) and the collection by the County Treasurer of Greenville County (the “**County Treasurer**”) of an *ad valorem* tax in each fiscal year in such amount as the County Council may determine to provide for the operation and maintenance of the Berea Fire Service Area. The County Council may further determine from year to year to impose rates and charges within the Berea Fire Service Area to defray the cost of the operation and maintenance thereof.

(c) *General Obligation Bonds.* In order to raise monies to establish, maintain, and operate a fire protection system within the Berea Fire Service Area, to purchase the necessary fire-fighting equipment, and to construct, acquire, and build the necessary fire stations and acquire sites for such stations within the Berea Fire Service Area, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Berea Fire Service Area, such bonds to be payable from *ad valorem* taxes collected within the Berea Fire Service Area.

#### Section 2.2 Administration.

(a) *Establishment of Commission.*

(i) There is hereby established for the Berea Fire Service Area a governing body to be known as the “Berea Fire Service Area Board of Fire Control” (the “**Berea Board**”) consisting of five members (each a “**Berea Board Member**”).

(ii) The initial Berea Board Members shall be appointed by the County Council for terms to expire on December 31, 2023, each of whom shall possess the qualifications of an elector within the Berea Fire Service Area. Vacancies of those initially appointed to serve as Berea Board Members shall be filled by County Council for the remainder of the unexpired term.

(iii) Beginning with the general election to be held on the first Tuesday after

the first Monday in November, 2023, the Berea Board Members shall possess the qualifications of an elector within the Berea Fire Service Area and be elected by the registered voters of the Berea Fire Service Area: three of whom shall be elected for an initial term of four years and two of whom shall be elected for an initial term of two years. The Greenville County Election Commission shall certify the three candidates receiving the highest number of votes as serving initial four-year terms, and the two candidates receiving the least number of votes as serving initial two-year terms. Thereafter, elections shall be conducted on the first Tuesday after the first Monday in November in odd numbered years and all Berea Board Members shall be elected for terms of four years. All terms shall commence on January 1 following the date of election. Vacancies of those elected to serve as Berea Board Members shall be filled by appointment by County Council for the remainder of the unexpired term.

(b) *Powers.* The Berea Board shall have the following duties and responsibilities:

(i) To establish, operate, and maintain a system of fire protection within the Berea Fire Service Area;

(ii) To acquire such firefighting equipment as may be necessary for the purpose of providing adequate Fire Service within the Berea Fire Service Area;

(iii) To select sites or places within the Berea Fire Service Area where the firefighting equipment shall be kept;

(iv) To employ all necessary fire-protection personnel and other personnel of the Berea Fire Service Area and fix their compensation;

(v) To supervise the training of fire-protection personnel to ensure that the fire protection equipment is utilized for the best interest of the Berea Fire Service Area;

(vi) To be responsible for the upkeep, maintenance, and repairs of all firefighting equipment, fire stations and the sites thereof, and other property and assets of the Berea Fire Service Area;

(vii) To acquire or construct all necessary buildings and fire stations to house the equipment and to provide Fire Service;

(viii) To promulgate such rules and regulations as it may deem proper and necessary to ensure that the equipment is being used to the best advantage of the Berea Fire Service Area;

(iv) To appointment officers, agents, employees, and servants and to recommend their duties and their compensation; and

(x) To exercise any and all other powers and functions necessary and proper to provide Fire Service within the Berea Fire Service Area.

(c) *Budget and Expenditure of Funds.*

(i) The Berea Board shall annually prepare and present to the County Council on or before May 1 of each year a balanced budget (the “*Annual Budget*”) providing for the revenues and expenditure of the Berea Fire Service Area for the upcoming fiscal year. The Annual Budget shall include a proposed millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Berea Fire Service Area for the upcoming fiscal year. The County Council shall consider any adjustments to the current millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Berea Fire Service Area for the upcoming fiscal year. Upon County Council approval of the Berea Fire Service Area millage rate and/or schedule of rates and charges, the County shall certify to the County Auditor the millage rate and/or rates and charges to be levied or imposed, as applicable, within the Berea Fire Service Area.

(ii) All revenues and funds collected for the benefit and use of the Berea Fire Service Area shall be deposited with the County Treasurer in an account under the Berea Fire Service Area’s name and held for the benefit of the Berea Fire Service Area. All disbursements shall be made for budgeted expenditures in accordance with policies and procedures of the County for the disbursement and expenditure of funds.

(iii) All expenditures for goods and services entered into with respect to the Berea Fire Service Area shall be subject to the County’s Procurement Ordinance, as it may be amended from time to time.

(iv) All assets of the Berea Fire Service Area shall be titled in the name of the County and held by the County for the benefit of the Berea Fire Service Area.

[End of Article 2]

## ARTICLE 3

### ESTABLISHMENT OF GANTT FIRE SERVICE AREA

#### Section 3.1 Establishment and Funding.

(a) *Establishment of Gantt Fire Service Area; Boundaries.* As of the Effective Date, as defined and determined pursuant to Section 7.2 of this Ordinance, there shall hereby be established the Gantt Fire Service Area. The boundaries of the Gantt Fire Service Area shall be coterminous with the former Fire Service boundaries of Gantt, as shown on the map attached to this Ordinance at **Exhibit A**.

(b) *Authorization for Ad Valorem Taxes and Rates and Charges.* There is hereby authorized an annual levy by the County Auditor and the collection by the County Treasurer of an *ad valorem* tax in each fiscal year in such amount as the County Council may determine to provide for the operation and maintenance of the Gantt Fire Service Area. The County Council may further determine from year to year to impose rates and charges within the Gantt Fire Service Area to defray the cost of the operation and maintenance thereof.

(c) *General Obligation Bonds.* In order to raise monies to establish, maintain, and operate a fire protection system within the Gantt Fire Service Area, to purchase the necessary fire-fighting equipment, and to construct, acquire, and build the necessary fire stations and acquire sites for such stations within the Gantt Fire Service Area, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Gantt Fire Service Area, such bonds to be payable from *ad valorem* taxes collected within the Gantt Fire Service Area.

#### Section 3.2 Administration.

(a) *Establishment of Commission.*

(i) There is hereby established for the Gantt Fire Service Area a governing body to be known as the “Gantt Fire Service Area Board of Fire Control” (the “***Gantt Board***”) consisting of five members (each a “***Gantt Board Member***”).

(ii) The initial Gantt Board Members shall be appointed by the County Council for terms to expire on December 31, 2023, each of whom shall possess the qualifications of an elector within the Gantt Fire Service Area. Vacancies of those initially appointed to serve as Gantt Board Members shall be filled by County Council for the remainder of the unexpired term.

(iii) Beginning with the general election to be held on the first Tuesday after the first Monday in November, 2023, the Gantt Board Members shall possess the



qualifications of an elector within the Gantt Fire Service Area and be elected by the registered voters of the Gantt Fire Service Area: three of whom shall be elected for an initial term of four years and two of whom shall be elected for an initial term of two years. The Greenville County Election Commission shall certify the three candidates receiving the highest number of votes as serving initial four-year terms, and the two candidates receiving the least number of votes as serving initial two-year terms. Thereafter, elections shall be conducted on the first Tuesday after the first Monday in November in odd numbered years and, all Gantt Board Members shall be elected for terms of four years. All terms shall commence on January 1 following the date of election. Vacancies of those elected to serve as Gantt Board Members shall be filled by appointment by County Council for the remainder of the unexpired term.

(b) *Powers.* The Gantt Board shall have the following duties and responsibilities:

(i) To establish, operate, and maintain a system of fire protection within the Gantt Fire Service Area;

(ii) To acquire such firefighting equipment as may be necessary for the purpose of providing adequate Fire Service within the Gantt Fire Service Area;

(iii) To select sites or places within the Gantt Fire Service Area where the firefighting equipment shall be kept;

(iv) To employ all necessary fire-protection personnel and other personnel of the Gantt Fire Service Area and fix their compensation;

(v) To supervise the training of fire-protection personnel to ensure that the fire protection equipment is utilized for the best interest of the Gantt Fire Service Area;

(vi) To be responsible for the upkeep, maintenance, and repairs of all firefighting equipment, fire stations and the sites thereof, and other property and assets of the Gantt Fire Service Area;

(vii) To acquire or construct all necessary buildings and fire stations to house the equipment and to provide Fire Service;

(viii) To promulgate such rules and regulations as it may deem proper and necessary to ensure that the equipment is being used to the best advantage of the Gantt Fire Service Area;

(iv) To appointment officers, agents, employees, and servants and to recommend their duties and their compensation; and

(x) To exercise any and all other powers and functions necessary and proper to provide Fire Service within the Gantt Fire Service Area.

(c) *Budget and Expenditure of Funds.*

(i) The Gantt Board shall annually prepare and present to the County Council on or before May 1 of each year an Annual Budget providing for the revenues and expenditure of the Gantt Fire Service Area for the upcoming fiscal year. The Annual Budget shall include a proposed millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Gantt Fire Service Area for the upcoming fiscal year. The County Council shall consider any adjustments to the current millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Gantt Fire Service Area for the upcoming fiscal year. Upon County Council approval of the Gantt Fire Service Area millage rate and/or schedule of rates and charges, the County shall certify to the County Auditor the millage rate and/or rates and charges to be levied or imposed, as applicable, within the Gantt Fire Service Area.

(ii) All revenues and funds collected for the benefit and use of the Gantt Fire Service Area shall be deposited with the County Treasurer in an account under the Gantt Fire Service Area's name and held for the benefit of the Gantt Fire Service Area. All disbursements shall be made for budgeted expenditures in accordance with policies and procedures of the County for the disbursement and expenditure of funds.

(iii) All expenditures for goods and services entered into with respect to the Gantt Fire Service Area shall be subject to the County's Procurement Ordinance, as it may be amended from time to time.

(iv) All assets of the Gantt Fire Service Area shall be titled in the name of the County and held by the County for the benefit of the Gantt Fire Service Area.

[End of Article 3]

## ARTICLE 4

### ESTABLISHMENT OF PARKER FIRE SERVICE AREA

#### Section 4.1 Establishment and Funding.

(a) *Establishment of Parker Fire Service Area; Boundaries.* As of the Effective Date, as defined and determined pursuant to Section 7.2 of this Ordinance, there shall hereby be established the Parker Fire Service Area. The boundaries of the Parker Fire Service Area shall be coterminous with the former Fire Service boundaries of Parker, as shown on the map attached to this Ordinance at **Exhibit A**.

(b) *Authorization for Ad Valorem Taxes and Rates and Charges.* There is hereby authorized an annual levy by the County Auditor and the collection by the County Treasurer of an *ad valorem* tax in each fiscal year in such amount as the County Council may determine to provide for the operation and maintenance of the Parker Fire Service Area. The County Council may further determine from year to year to impose rates and charges within the Parker Fire Service Area to defray the cost of the operation and maintenance thereof.

(c) *General Obligation Bonds.* In order to raise monies to establish, maintain, and operate a fire protection system within the Parker Fire Service Area, to purchase the necessary fire-fighting equipment, and to construct, acquire, and build the necessary fire stations and acquire sites for such stations within the Parker Fire Service Area, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Parker Fire Service Area, such bonds to be payable from *ad valorem* taxes collected within the Parker Fire Service Area.

#### Section 4.2 Administration.

(a) *Establishment of Commission.*

(i) There is hereby established for the Parker Fire Service Area a governing body to be known as the “Parker Fire Service Area Board of Fire Control” (the “***Parker Board***”) consisting of five members (each a “***Parker Board Member***”).

(ii) The initial Parker Board Members shall be appointed by the County Council for terms to expire on December 31, 2023, each of whom shall possess the qualifications of an elector within the Parker Fire Service Area. Vacancies of those initially appointed to serve as Parker Board Members shall be filled by County Council for the remainder of the unexpired term.

(iii) Beginning with the general election to be held on the first Tuesday after the first Monday in November, 2023, the Parker Board Members shall possess the

qualifications of an elector within the Parker Fire Service Area and be elected by the registered voters of the Parker Fire Service Area: three of whom shall be elected for an initial term of four years and two of whom shall be elected for an initial term of two years. The Greenville County Election Commission shall certify the three candidates receiving the highest number of votes as serving initial four-year terms, and the two candidates receiving the least number of votes as serving initial two-year terms. Thereafter, elections shall be conducted on the first Tuesday after the first Monday in November in odd numbered years and all Parker Board Members shall be elected for terms of four years. All terms shall commence on January 1 following the date of election. Vacancies of those elected to serve as Parker Board Members shall be filled by appointment by County Council for the remainder of the unexpired term.

(b) *Powers.* The Parker Board shall have the following duties and responsibilities:

(i) To establish, operate, and maintain a system of fire protection within the Parker Fire Service Area;

(ii) To acquire such firefighting equipment as may be necessary for the purpose of providing adequate Fire Service within the Parker Fire Service Area;

(iii) To select sites or places within the Parker Fire Service Area where the firefighting equipment shall be kept;

(iv) To employ all necessary fire-protection personnel and other personnel of the Parker Fire Service Area and fix their compensation;

(v) To supervise the training of fire-protection personnel to ensure that the fire protection equipment is utilized for the best interest of the Parker Fire Service Area;

(vi) To be responsible for the upkeep, maintenance, and repairs of all firefighting equipment, fire stations and the sites thereof, and other property and assets of the Parker Fire Service Area;

(vii) To acquire or construct all necessary buildings and fire stations to house the equipment and to provide Fire Service;

(viii) To promulgate such rules and regulations as it may deem proper and necessary to ensure that the equipment is being used to the best advantage of the Parker Fire Service Area;

(iv) To appointment officers, agents, employees, and servants and to recommend their duties and their compensation; and

(x) To exercise any and all other powers and functions necessary and proper to provide Fire Service within the Parker Fire Service Area.

(c) *Budget and Expenditure of Funds.*

(i) The Parker Board shall annually prepare and present to the County Council on or before May 1 of each year an Annual Budget providing for the revenues and expenditure of the Parker Fire Service Area for the upcoming fiscal year. The Annual Budget shall include a proposed millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Parker Fire Service Area for the upcoming fiscal year. The County Council shall consider any adjustments to the current millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Parker Fire Service Area for the upcoming fiscal year. Upon County Council approval of the Parker Fire Service Area millage rate and/or schedule of rates and charges, the County shall certify to the County Auditor the millage rate and/or rates and charges to be levied or imposed, as applicable, within the Parker Fire Service Area.

(ii) All revenues and funds collected for the benefit and use of the Parker Fire Service Area shall be deposited with the County Treasurer in an account under the Parker Fire Service Area's name and held for the benefit of the Parker Fire Service Area. All disbursements shall be made for budgeted expenditures in accordance with policies and procedures of the County for the disbursement and expenditure of funds.

(iii) All expenditures for goods and services entered into with respect to the Parker Fire Service Area shall be subject to the County's Procurement Ordinance, as it may be amended from time to time.

(iv) All assets of the Parker Fire Service Area shall be titled in the name of the County and held by the County for the benefit of the Parker Fire Service Area.

[End of Article 4]

## ARTICLE 5

### ESTABLISHMENT OF TAYLORS FIRE SERVICE AREA

#### Section 5.1 Establishment and Funding.

(a) *Establishment of Taylors Fire Service Area; Boundaries.* As of the Effective Date, as defined and determined pursuant to Section 7.2 of this Ordinance, there shall hereby be established the Taylors Fire Service Area. The boundaries of the Taylors Fire Service Area shall be coterminous with the former Fire Service boundaries of Taylors, as shown on the map attached to this Ordinance at **Exhibit A**.

(b) *Authorization for Ad Valorem Taxes and Rates and Charges.* There is hereby authorized an annual levy by the County Auditor and the collection by the County Treasurer of an *ad valorem* tax in each fiscal year in such amount as the County Council may determine to provide for the operation and maintenance of the Taylors Fire Service Area. The County Council may further determine from year to year to impose rates and charges within the Taylors Fire Service Area to defray the cost of the operation and maintenance thereof.

(c) *General Obligation Bonds.* In order to raise monies to establish, maintain, and operate a fire protection system within the Taylors Fire Service Area, to purchase the necessary fire-fighting equipment, and to construct, acquire, and build the necessary fire stations and acquire sites for such stations within the Taylors Fire Service Area, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Taylors Fire Service Area, such bonds to be payable from *ad valorem* taxes collected within the Taylors Fire Service Area.

#### Section 5.2 Administration.

(a) *Establishment of Commission.*

(i) There is hereby established for the Taylors Fire Service Area a governing body to be known as the “Taylors Fire Service Area Board of Fire Control” (the “**Taylors Board**”) consisting of five members (each a “**Taylors Board Member**”).

(ii) The initial Taylors Board Members shall be appointed by the County Council for terms to expire on December 31, 2023, each of whom shall possess the qualifications of an elector within the Taylors Fire Service Area. Vacancies of those initially appointed to serve as Taylors Board Members shall be filled by County Council for the remainder of the unexpired term.

(iii) Beginning with the general election to be held on the first Tuesday after the first Monday in November, 2023, the Taylors Board Members shall possess the qualifications of an elector within the Taylors Fire Service Area and be elected by the

registered voters of the Taylors Fire Service Area: three of whom shall be elected for an initial term of four years and two of whom shall be elected for an initial term of two years. The Greenville County Election Commission shall certify the three candidates receiving the highest number of votes as serving initial four-year terms, and the two candidates receiving the least number of votes as serving initial two-year terms. Thereafter, elections shall be conducted on the first Tuesday after the first Monday in November in odd numbered years and all Taylors Board Members shall be elected for terms of four years. All terms shall commence on January 1 following the date of election. Vacancies of those elected to serve as Taylors Board Members shall be filled by appointment by County Council for the remainder of the unexpired term.

(b) *Powers.* The Taylors Board shall have the following duties and responsibilities:

(i) To establish, operate, and maintain a system of fire protection within the Taylors Fire Service Area;

(ii) To acquire such firefighting equipment as may be necessary for the purpose of providing adequate Fire Service within the Taylors Fire Service Area;

(iii) To select sites or places within the Taylors Fire Service Area where the firefighting equipment shall be kept;

(iv) To employ all necessary fire-protection personnel and other personnel of the Taylors Fire Service Area and fix their compensation;

(v) To supervise the training of fire-protection personnel to ensure that the fire protection equipment is utilized for the best interest of the Taylors Fire Service Area;

(vi) To be responsible for the upkeep, maintenance, and repairs of all firefighting equipment, fire stations and the sites thereof, and other property and assets of the Taylors Fire Service Area;

(vii) To acquire or construct all necessary buildings and fire stations to house the equipment and to provide Fire Service;

(viii) To promulgate such rules and regulations as it may deem proper and necessary to ensure that the equipment is being used to the best advantage of the Taylors Fire Service Area;

(iv) To appointment officers, agents, employees, and servants and to recommend their duties and their compensation; and

(x) To exercise any and all other powers and functions necessary and proper to provide Fire Service within the Taylors Fire Service Area.

(c) *Budget and Expenditure of Funds.*

(i) The Taylors Board shall annually prepare and present to the County Council on or before May 1 of each year an Annual Budget providing for the revenues and expenditure of the Taylors Fire Service Area for the upcoming fiscal year. The Annual Budget shall include a proposed millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Taylors Fire Service Area for the upcoming fiscal year. The County Council shall consider any adjustments to the current millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Taylors Fire Service Area for the upcoming fiscal year. Upon County Council approval of the Taylors Fire Service Area millage rate and/or schedule of rates and charges, the County shall certify to the County Auditor the millage rate and/or rates and charges to be levied or imposed, as applicable, within the Taylors Fire Service Area.

(ii) All revenues and funds collected for the benefit and use of the Taylors Fire Service Area shall be deposited with the County Treasurer in an account under the Taylors Fire Service Area's name and held for the benefit of the Taylors Fire Service Area. All disbursements shall be made for budgeted expenditures in accordance with policies and procedures of the County for the disbursement and expenditure of funds.

(iii) All expenditures for goods and services entered into with respect to the Taylors Fire Service Area shall be subject to the County's Procurement Ordinance, as it may be amended from time to time.

(iv) All assets of the Taylors Fire Service Area shall be titled in the name of the County and held by the County for the benefit of the Taylors Fire Service Area.

[End of Article 5]



## ARTICLE 6

### ESTABLISHMENT OF WADE HAMPTON FIRE SERVICE AREA

#### Section 6.1 Establishment and Funding.

(a) *Establishment of Wade Hampton Fire Service Area; Boundaries.* As of the Effective Date, as defined and determined pursuant to Section 7.2 of this Ordinance, there shall hereby be established the Wade Hampton Fire Service Area. The boundaries of the Wade Hampton Fire Service Area shall be coterminous with the former Fire Service boundaries of Wade Hampton, as shown on the map attached to this Ordinance at **Exhibit A**.

(b) *Authorization for Ad Valorem Taxes and Rates and Charges.* There is hereby authorized an annual levy by the County Auditor and the collection by the County Treasurer of an *ad valorem* tax in each fiscal year in such amount as the County Council may determine to provide for the operation and maintenance of the Wade Hampton Fire Service Area. The County Council may further determine from year to year to impose rates and charges within the Wade Hampton Fire Service Area to defray the cost of the operation and maintenance thereof.

(c) *General Obligation Bonds.* In order to raise monies to establish, maintain, and operate a fire protection system within the Wade Hampton Fire Service Area, to purchase the necessary fire-fighting equipment, and to construct, acquire, and build the necessary fire stations and acquire sites for such stations within the Wade Hampton Fire Service Area, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the Wade Hampton Fire Service Area, such bonds to be payable from *ad valorem* taxes collected within the Wade Hampton Fire Service Area.

#### Section 6.2 Administration.

(a) *Establishment of Commission.*

(i) There is hereby established for the Wade Hampton Fire Service Area a governing body to be known as the “Wade Hampton Fire Service Area Board of Fire Control” (the “**Wade Hampton Board**”) consisting of five members (each a “**Wade Hampton Board Member**”).

(ii) The initial Wade Hampton Board Members shall be appointed by the County Council for terms to expire on December 31, 2023, each of whom shall possess the qualifications of an elector within the Wade Hampton Fire Service Area. Vacancies of those initially appointed to serve as Wade Hampton Board Members shall be filled by County Council for the remainder of the unexpired term.

(iii) Beginning with the general election to be held on the first Tuesday after

the first Monday in November, 2023, the Wade Hampton Board Members shall possess the qualifications of an elector within the Wade Hampton Fire Service Area and be elected by the registered voters of the Wade Hampton Fire Service Area: three of whom shall be elected for an initial term of four years and two of whom shall be elected for an initial term of two years. The Greenville County Election Commission shall certify the three candidates receiving the highest number of votes as serving initial four-year terms, and the two candidates receiving the least number of votes as serving initial two-year terms. Thereafter, elections shall be conducted on the first Tuesday after the first Monday in November in odd numbered years and all Wade Hampton Board Members shall be elected for terms of four years. All terms shall commence on January 1 following the date of election. Vacancies of those elected to serve as Wade Hampton Board Members shall be filled by appointment by County Council for the remainder of the unexpired term.

(b) *Powers.* The Wade Hampton Board shall have the following duties and responsibilities:

(i) To establish, operate, and maintain a system of fire protection within the Wade Hampton Fire Service Area;

(ii) To acquire such firefighting equipment as may be necessary for the purpose of providing adequate Fire Service within the Wade Hampton Fire Service Area;

(iii) To select sites or places within the Wade Hampton Fire Service Area where the firefighting equipment shall be kept;

(iv) To employ all necessary fire-protection personnel and other personnel of the Wade Hampton Fire Service Area and fix their compensation;

(v) To supervise the training of fire-protection personnel to ensure that the fire protection equipment is utilized for the best interest of the Wade Hampton Fire Service Area;

(vi) To be responsible for the upkeep, maintenance, and repairs of all firefighting equipment, fire stations and the sites thereof, and other property and assets of the Wade Hampton Fire Service Area;

(vii) To acquire or construct all necessary buildings and fire stations to house the equipment and to provide Fire Service;

(viii) To promulgate such rules and regulations as it may deem proper and necessary to ensure that the equipment is being used to the best advantage of the Wade Hampton Fire Service Area;

(iv) To appointment officers, agents, employees, and servants and to recommend their duties and their compensation; and

(x) To exercise any and all other powers and functions necessary and proper to provide Fire Service within the Wade Hampton Fire Service Area.

(c) *Budget and Expenditure of Funds.*

(i) The Wade Hampton Board shall annually prepare and present to the County Council on or before May 1 of each year an Annual Budget providing for the revenues and expenditure of the Wade Hampton Fire Service Area for the upcoming fiscal year. The Annual Budget shall include a proposed millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Wade Hampton Fire Service Area for the upcoming fiscal year. The County Council shall consider any adjustments to the current millage rate and/or schedule of rates and charges necessary to meet the expenditures for the Wade Hampton Fire Service Area for the upcoming fiscal year. Upon County Council approval of the Wade Hampton Fire Service Area millage rate and/or schedule of rates and charges, the County shall certify to the County Auditor the millage rate and/or rates and charges to be levied or imposed, as applicable, within the Wade Hampton Fire Service Area.

(ii) All revenues and funds collected for the benefit and use of the Wade Hampton Fire Service Area shall be deposited with the County Treasurer in an account under the Wade Hampton Fire Service Area's name and held for the benefit of the Wade Hampton Fire Service Area. All disbursements shall be made for budgeted expenditures in accordance with policies and procedures of the County for the disbursement and expenditure of funds.

(iii) All expenditures for goods and services entered into with respect to the Wade Hampton Fire Service Area shall be subject to the County's Procurement Ordinance, as it may be amended from time to time.

(iv) All assets of the Wade Hampton Fire Service Area shall be titled in the name of the County and held by the County for the benefit of the Wade Hampton Fire Service Area.

[End of Article 6]

## ARTICLE 7

### MISCELLANEOUS

**Section 7.1 Affirmation of Findings.** It is hereby found and determined that each statement of fact set forth in this Ordinance is in all respects true and correct.

**Section 7.2 Effective Date.** The effective date of the establishment of the Fire Service Areas is intended to be synchronous within the Consolidation Effective Date, and the effectiveness of the Consolidation is determined by the County Council to be a legal prerequisite to the effectiveness of the establishment of the Fire Service Areas. Accordingly, the effective date of the establishment of the Fire Service Areas shall be July 1, 2021 (the “*Effective Date*”); provided, however, if necessary to allow sufficient time for the completion or accomplishment of any portion of the Consolidation Plan or other act, process, approval, or other action that is a legal prerequisite to the effectiveness of the Consolidation or the establishment of the Fire Service Areas, the County Council may extend the Effective Date by resolution.

**Section 7.3 Severability of Consolidations.** It is the intention of the County Council that the establishment of each of the Fire Service Areas, as set forth in the applicable articles of this Ordinance, be treated as separate and discreet under the provisions of the Fire Service Area Act and are being taken together in concert to realize substantial benefits of economy, coordination, and service delivery. To the extent that the establishment of any one or more of the Fire Service Areas is temporarily or permanently enjoined or held to be invalid by a court of competent jurisdiction any provision of this Ordinance effecting such establishment shall be severable from the remaining provisions of this Ordinance and any such injunction or determination of invalidity shall not impair the implementation or validity of the establishment of any other Fire Service Area established pursuant to this Ordinance that is not subject to such injunction or determination of invalidity.

**Section 7.4 Severability of Provisions.** It is the intention of the County Council that the individual provisions hereof, including those of the articles effecting the establishment of each of the Fire Service Areas, be severable to the fullest extent permitted by law. To the extent that the enforcement or carrying out of any one or more provisions of this Ordinance are enjoined or held by a court of competent jurisdiction to be invalid, such provision is severable from the remaining provisions of this Ordinance and the remaining provisions hereof are to be construed, to the greatest extent possible, to allow for the establishment of Fire Service Areas to be carried out.

**Section 7.5 Amendment.** It is the intention of the County Council that the Fire Service Areas be established within each of the former boundaries of the Fire/Sewer Districts upon and as of the Consolidation of the Fire/Sewer Districts into Metro; however, the County Council may, by subsequent action and after having given due notice and conducted a public hearing in compliance with the Fire Service Area Act, amend this Ordinance to adjust the boundaries of any Fire Service Area accordingly in the event that (a) any one or more Fire/Sewer

Districts are severed from the Consolidation pursuant to Section 9.1 of the Consolidation Ordinance, (b) the County Council amends the Consolidation Ordinance to remove any Fire/Sewer District from the Consolidation, or (c) the County Council determines, with the consent and agreement of any other special purpose district in the County providing fire service, to enlarge the boundaries of such special purpose district to include all or any portion of the boundaries of the Fire/Sewer Districts.

**Section 7.6 Further Action.** The Chairman of County Council, the County Administrator, the County Attorney, and other officials and staff of the County are authorized, empowered, and directed to take such action as is necessary to effect the establishment of the Fire Service Areas in accordance with the provisions of this Ordinance and the Consolidation Plan, including the execution and delivery such certificates, instruments, applications, and other documents necessary or convenient therefor.

**Section 7.7 Notice of Action.** Upon third and final reading of this Consolidation Ordinance, a notice of action, as required by Section 4-19-20 of the Fire Service Area Act, substantially in the form that is attached hereto as **Exhibit B**, shall be published in *The Greenville News* once a week for two successive weeks in connection with the establishment of each of the Fire Service Areas. A copy of this Ordinance shall be kept on file with the Clerk to County Council and be made available upon request during normal business hours.

[End of Article 7]

**ENACTED** in meeting duly assembled this \_\_ day of December 2020.

**GREENVILLE COUNTY, SOUTH CAROLINA**

(SEAL)

\_\_\_\_\_  
Chairman of County Council

\_\_\_\_\_  
County Administrator

Attest:

\_\_\_\_\_  
Clerk to County Council

First Reading: \_\_\_\_\_, 2020

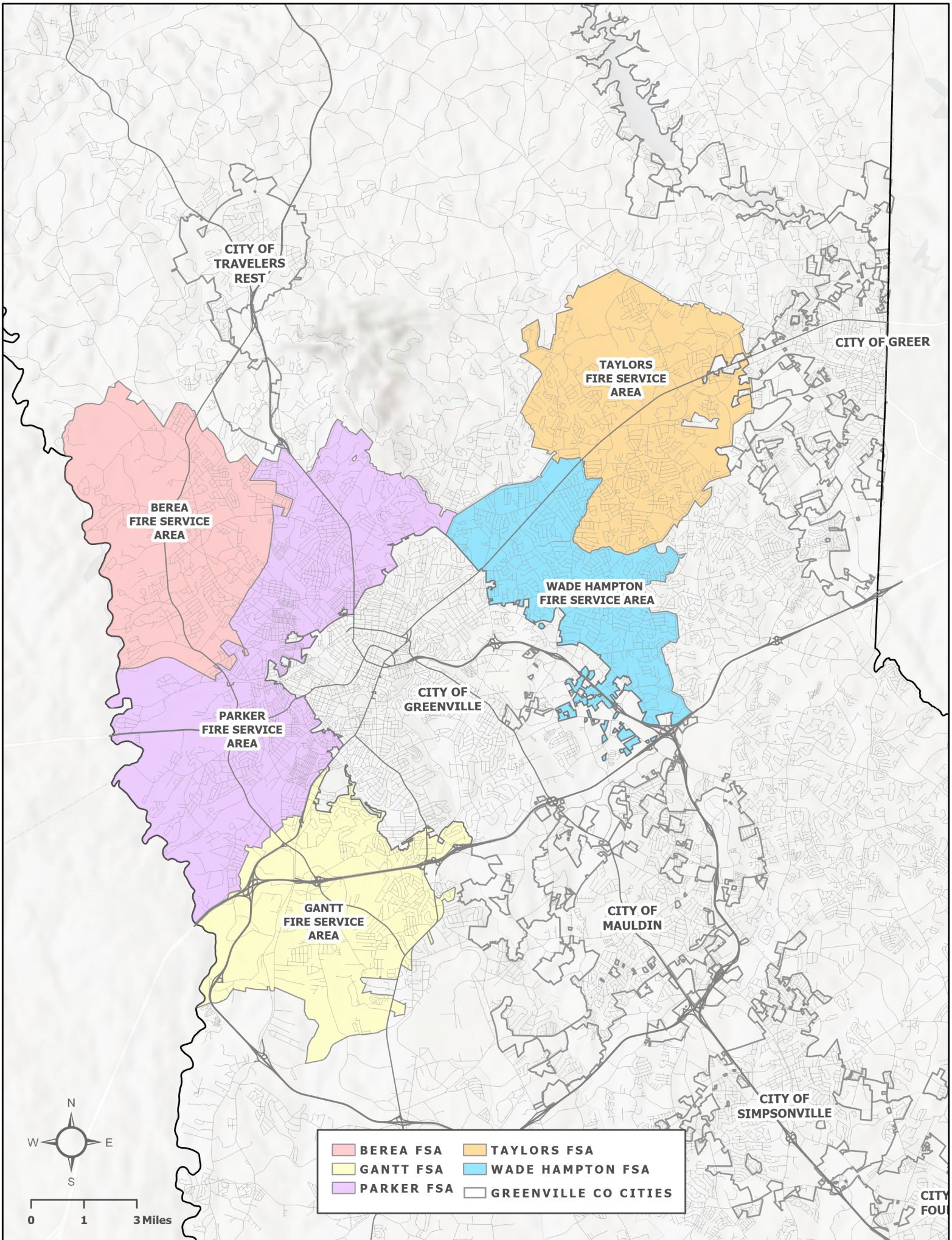
Second Reading: \_\_\_\_\_, 2020

Public Hearing: \_\_\_\_\_, 2020

Third Reading: \_\_\_\_\_, 2020

**EXHIBIT A**

**Boundaries of the Fire Service Areas**





**EXHIBIT B**

**Form of Notice of Action  
[To be updated for each Fire Service Area]**

**NOTICE OF ACTION**

Notice is hereby given pursuant to Section 4-19-20 of the Code of Laws of South Carolina 1976, as amended (the “*S.C. Code*”), as follows:

1. Following a public hearing held on November 23, 2020, on [\_\_\_], 2020, the County Council of Greenville County (the “*County Council*”), the governing body of Greenville County, South Carolina (the “*County*”), enacted Ordinance No. [\_\_\_], entitled “CREATING THE BERIA FIRE SERVICE AREA, GANTT FIRE SERVICE AREA, PARKER FIRE SERVICE AREA, TAYLORS FIRE SERVICE AREA, AND WADE HAMPTON FIRE SERVICE AREA, EACH IN GREENVILLE COUNTY, SOUTH CAROLINA, AND BOARDS OF FIRE CONTROL FOR EACH SUCH FIRE SERVICE AREA, APPROVING THE ANNUAL LEVY AND COLLECTION OF AD VALOREM TAXES AND/OR THE IMPOSITION OF RATES AND CHARGES FOR THE OPERATION AND MAINTENANCE THEREOF WITHIN EACH FIRE SERVICE AREA, APPROVING THE ISSUANCE OF GENERAL OBLIGATION BONDS ON BEHALF OF EACH SUCH FIRE SERVICE AREA, AND OTHER MATTERS RELATING THERETO” (the “*Ordinance*”).

2. The Ordinance authorizes the creation of the [NAME] Fire Service Area (the “*Fire Service Area*”) which shall comprise, embrace, and consist of the former boundaries for fire service of the [AFFECTED FIRE/SEWER DISTRICT]. A map of the boundaries of the Fire Service Area has been placed on file with the Clerk to County Council and is available for review at the County’s offices during normal business hours.

3. The County Council shall be authorized to levy *ad valorem* taxes and impose rates and charges within the area of the Fire Service Area to the extent necessary to operation and maintenance of the function of the Fire Service Area and to provide adequate fire protection service therein.

4. The County Council shall be further authorized to issue general obligation bonds of the County, payable from *ad valorem* taxes levied within the Fire Service Area in order to raise monies to establish, maintain, and operate a fire protection system within the Fire Service Area and to purchase the necessary fire-fighting equipment and to construct, acquire, and build the necessary fire stations and acquire sites for such stations within the Fire Service Area.

5. Persons affected by the aforesaid action of the County Council may object to such action by following the procedures provided in Section 4-19-20(6) of the S.C Code.

COUNTY COUNCIL OF GREENVILLE COUNTY

*Publication Instructions: To be published once a week for two successive weeks in the Greenville News.*