
ORDINANCE NO. ____

**AN ORDINANCE AUTHORIZING THE ENLARGEMENT OF THE TERRITORY OF
THE METROPOLITAN SEWER SUBDISTRICT AND OTHER MATTERS
RELATING THERETO.**

[**]

ORDINANCE NO. ____

AN ORDINANCE AUTHORIZING THE ENLARGEMENT OF THE TERRITORY OF THE METROPOLITAN SEWER SUBDISTRICT AND OTHER MATTERS RELATING THERETO.

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

Section 1 Findings of Fact. The County Council makes the following findings of fact in connection with the enactment of this ordinance (this “*Ordinance*”):

(a) Pursuant to the provisions of Title 6, Chapter 11, Article 3 (the “*SPD Boundary Laws*”) of the Code of Laws of South Carolina 1976, as amended, and specifically, Sections 6-11-420 and 430 of the SPD Boundary Laws, special purpose districts may petition the county council of a county in which the district is located requesting that the county council take action to enlarge, diminish, or consolidate such special purpose district. Upon the receipt of such a petition, the county council shall order a public hearing to be held for the purpose of making a determination as to whether and to what extent such special purpose district shall be enlarged, diminished, or consolidated.

(b) As provided in Section 6-11-435(B) of the SPD Boundary Laws:

A[n] . . . enlarged special purpose district which results from action taken pursuant to [the SPD Boundary Laws] may not provide a governmental service to an area within its boundaries to which it has not previously provided such service if an overlapping political subdivision is authorized to provide that same service in the area and the area is situated within the boundaries of such overlapping political subdivision without the express authorization of the governing body of such overlapping political subdivision.

(c) Metropolitan Sewer Subdistrict, South Carolina (“*Metropolitan*”) is a special purpose district created pursuant to Act No. 687 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1969, as amended (the “*Enabling Act*”). The current boundaries of Metropolitan (the “*Metropolitan Boundaries*”) within Greenville County are shown on the map attached to this Ordinance at **Exhibit A**. Metropolitan is authorized pursuant to the Enabling Act to provide sewer collection services (“*Sewer Collection Service*”) within the Metropolitan Boundaries.

(d) The City of Travelers Rest, South Carolina (“*Travelers Rest*”) owns and operates a system of approximately 29 miles of sewer collection lines, along with manholes, pump stations, and other appurtenances (the “*City Sewer System*”), providing Sewer Collection

Services to customers within the municipal boundaries of Travelers Rest (the “*City Boundaries*”), which are shown on the map attached to this Ordinance at **Exhibit A**.

(e) Metropolitan and Travelers Rest have negotiated an Intergovernmental Transfer Agreement (the “*Transfer Agreement*”), pursuant to which Metropolitan and Travelers Rest have determined that Metropolitan is better suited to operate, maintain, and rehabilitate the City Sewer System over a long-term period due to economies of scale resulting from its greater size, and have further agreed that the City Sewer System shall be transferred to Metropolitan (the “*Sewer System Transfer*”) to be owned, operated, and maintained as a part of Metropolitan’s sewer collection system, with the customers now and hereafter connected thereto to be customers of Metropolitan.

(f) Pursuant to Section 10 of the Transfer Agreement, in accordance with Section 6-11-435(B) of the SPD Boundary Laws, Travelers Rest has “expressly authorize[d] Metropolitan to own, operate and maintain the City Sewer System and provide Sewer Collection Services within the City Boundaries.”

(g) The County has received a petition of the Metropolitan Sewer Subdistrict Commission (the “*Metropolitan Commission*”) requesting that the County Council take proper action to enlarge the Metropolitan Boundaries to overlap the City Boundaries. A map of the proposed enlarged boundaries of Metropolitan are shown on a map attached to this Ordinance at **Exhibit B**.

(h) Pursuant to the SPD Boundary Laws, by resolution adopted on November 15, 2022, the County Council ordered that a public hearing be held on the question of whether and to what extent the Metropolitan Boundaries should be enlarged to overlap the City Boundaries. Notice of the public hearing was published in a newspaper of general circulation in the County once a week for three successive weeks, on November 18, 2022, November 25, 2022, and December 2, 2022, and the public hearing was held on December 6, 2022. The public hearing was conducted publicly and both proponents and opponents of the proposed action were given the full opportunity to be heard.

Section 2 Enlargement of Boundaries. The enlargement of the Metropolitan Boundaries to overlap the City Boundaries, as shown on the map attached to this Ordinance at **Exhibit B**, is hereby approved and shall be effective as of March 1, 2023 (the “*Effective Date*”). As of the Effective Date, the Metropolitan Boundaries shall be so enlarged and the Assessor, Auditor, and Treasurer of Greenville County are directed to take such action as is necessary to reflect the Enlarged Metropolitan Boundaries on the respective records of such officers.

Section 3 No Bonds to be Issued. Responsive to Section 6-11-470(A)(2) of the SPD Boundary Laws, the County Council is advised that no bonds of Metropolitan are to be immediately issued in connection with the action taken hereby.

Section 4 No Changes to Governing Body. Responsive to Section 6-11-470(A)(3) of the SPD Boundary Laws, there shall be no changes to the Metropolitan Commission made in connection with the action taken hereby.

Section 5 Further Action. The County Administrator of the County, the Chairman of County Council and other officers and staff of the County are hereby authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 6 Notice of Action. Pursuant to Section 6-11-470 of the SPD Boundary Laws, a notice of the action of the County Council taken hereby, substantially in the form of the notice attached to this Ordinance at **Exhibit C**, shall be published in a newspaper of general circulation within Greenville County once a week for two successive weeks.

[Remainder of Page Left Blank]

Enacted in meeting duly assembled this [**] day of [**].

GREENVILLE COUNTY, SOUTH CAROLINA

(SEAL)

Chairman of County Council

County Administrator

Attest:

Clerk to County Council

First Reading: November 15, 2022
Second Reading: December 6, 2022
Public Hearing: December 6, 2022
Third Reading: [**]

EXHIBIT A

Map of Metropolitan Boundaries and City Boundaries

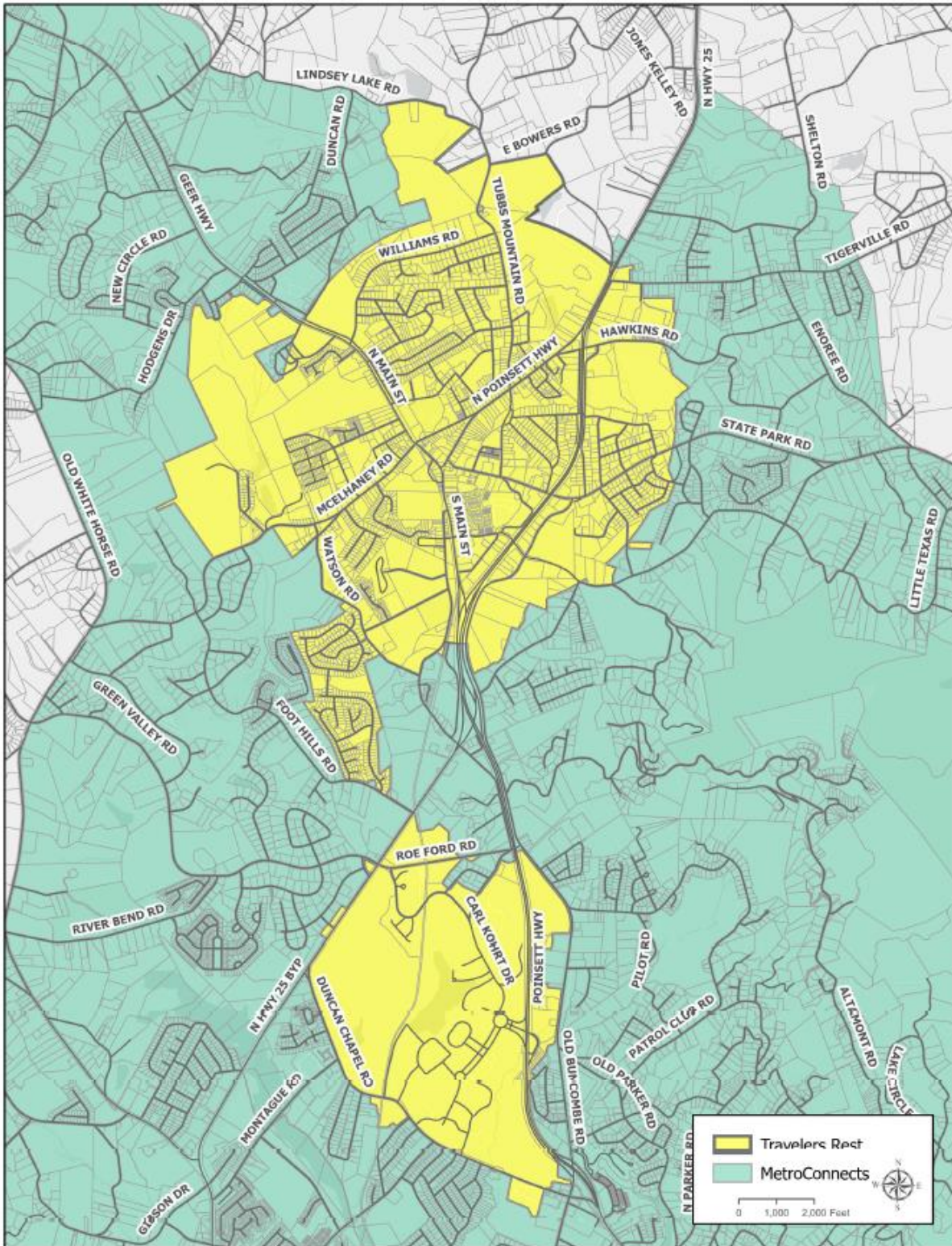


EXHIBIT B

Map of Enlarged Metropolitan Boundaries

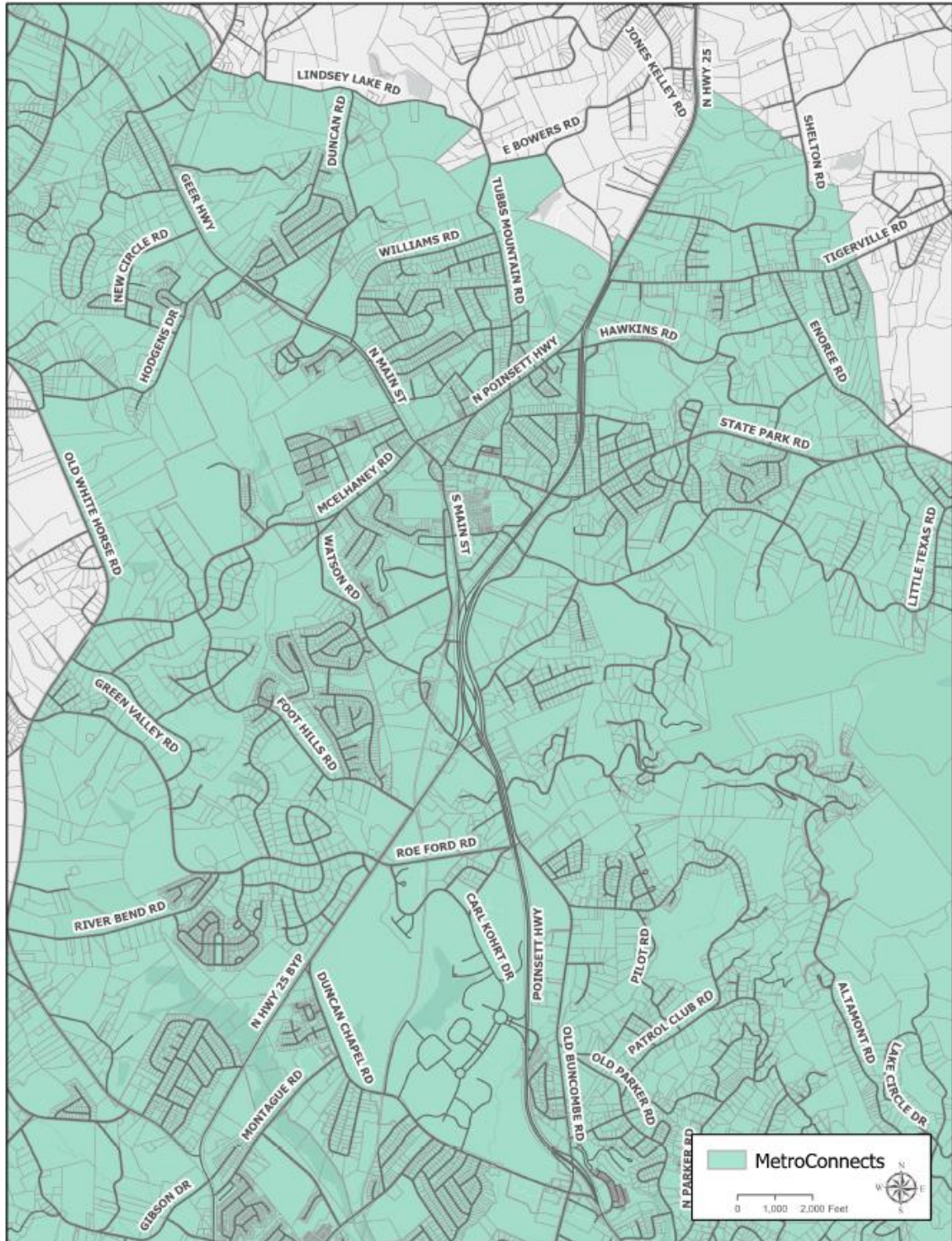


EXHIBIT C

Notice of Action

1. Following a public hearing held on [**], on [**], the County Council of Greenville County (the “**County Council**”), the governing body of Greenville County, South Carolina (the “**County**”), enacted Ordinance No. ___, entitled “AN ORDINANCE AUTHORIZING THE ENLARGEMENT OF THE TERRITORY OF THE METROPOLITAN SEWER SUBDISTRICT AND OTHER MATTERS RELATING THERETO” (the “**Ordinance**”).

2. As a result of the action of the County Council, as of [**], the boundaries of the Metropolitan Sewer Subdistrict, South Carolina (“**Metropolitan**”), shall be enlarged to overlap the boundaries of the City of Travelers Rest, South Carolina. A map showing the enlarged boundaries of Metropolitan 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. Responsive to Section 6-11-470(A)(2) of the Code of Laws of South Carolina 1976, as amended (the “**SPD Boundary Laws**”), the County Council is advised that no bonds of Metropolitan are to be immediately issued in connection with the action taken pursuant to the Ordinance.

4. Responsive to Section 6-11-470(A)(3) of the SPD Boundary Laws, there shall be no changes to the Metropolitan Sewer Subdistrict Commission made in connection with the action taken pursuant to the Ordinance.

5. Persons affected by the aforesaid action of the County Council may object to such action by following the procedures provided in Section 6-11-480 of the SPD Boundary Laws.

COUNTY COUNCIL OF GREENVILLE COUNTY

Publication Instructions:

To be published once per week for two successive weeks in The Greenville News.