

AN ORDINANCE

TO AMEND THE ROAD MAINTENANCE FEE ORDINANCES RELATING TO THE DEFINITION OF COUNTY ROAD SYSTEM.

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

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

(a) County Council imposes a County-wide road maintenance fee pursuant to County Ordinance No. 2474, enacted June 29, 1993, as amended by Ordinance No. 2513, enacted on October 19, 1993 (the “*Initial Fee Ordinance*”) and Ordinance No. 5467, enacted November 15, 2022 (the “*Amended Fee Ordinance*”) and together with the Initial Fee Ordinance, the “*Fee Ordinances*”).

(b) The County-wide road maintenance fee is a uniform service charge imposed upon the owners of vehicles registered within the County as the predominant users of the County road system and the primary beneficiaries of the maintenance and improvement thereof.

(c) County Council finds it desirable to provide that the phrase “County road system”, as used throughout the Fee Ordinances, is not limited to the roads owned or maintained by Greenville County.

Section 2. Amendments. County Council hereby amends the Fee Ordinances as follows:

(a) All references to the “County road system,” “County roads,” “County road improvements,” “County road network” or similar terminology in the Fee Ordinances may include all roads in the County owned or maintained by the County, the State of South Carolina or any political subdivision or agency thereof.

(b) All references to “roads” appearing in subsections (l) through (r) of Section 1 of the Amended Fee Ordinance refer to roads owned or maintained by Greenville County.

Section 3. Severability. Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Section 4. Repeal. All ordinances or parts of ordinances in conflict with this Ordinance, or inconsistent with its provisions, are hereby repealed or superseded to the extent necessary to give this Ordinance full force and effect.

Section 5. Effective Date. This Ordinance shall take effect upon the date of its adoption.

DONE IN REGULAR MEETING THIS ____ DAY OF _____, 2023.

Dan Tripp, Chairman
Greenville County Council

ATTEST:

Regina McCaskill
Clerk to Council

Joseph M. Kernell
County Administrator