

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )

ORDINANCE NUMBER 17-02

**AN ORDINANCE, AMENDING AND SUPPLEMENTING THE CODE OF ORDINANCES, DORCHESTER COUNTY, SOUTH CAROLINA, BY DELETING SEC. 36-180, CHAPTER 36, ARTICLE VI AND SUBSTITUTING IN LIEU THEREOF A NEW SEC. 36-180, CHAPTER 36, ARTICLE VI**

WHEREAS, Dorchester County is empowered to adopt ordinances as may appear to be necessary and proper for the security, general welfare and convenience of the public and for preserving health, peace, order and good government; and

WHEREAS, by Ordinance Number 12-11, Dorchester County Council, among other things, established storm water utility rates; and

WHEREAS, County property owners and users should finance the stormwater management system to the extent they contribute to the need for the system and benefit from the system and the charges should bear a reasonable relationship to the cost of the service and every effort should be made to fairly and reasonably spread the cost of the system to all property owners and users; and

WHEREAS, in order to make the charges which property owners and users pay for the stormwater management system bear a reasonable relationship to the cost of the service and to fairly and reasonably spread the cost of the system to all property owners and users, Dorchester County Council finds that the rates established by Ordinance Number 12-11 should be increased.

NOW, THEREFORE, Be It Ordained by Dorchester County Council, duly assembled, that the Code of Ordinances, Dorchester County, South Carolina, is hereby amended and supplemented by deleting Sec. 36-180, Chapter 36, Article VI and substituting in lieu thereof a new Sec. 36 -180, Chapter 36, Article VI, which shall read as follows:

**Sec. 36-180. Stormwater Utility Rates**

The following stormwater utility rates shall apply:

- (1) For a parcel of land containing one or more single-family residential structures totaling 2,241 square feet or less, an annual fee of \$31.97.
- (2) For a parcel of land containing one or more single-family residential structures totaling more than 2,241 square feet but less than 5,529 square feet, an annual fee of \$44.76.
- (3) For a parcel of land containing one or more single-family residential structures totaling 5,529 square feet or more, an annual fee of \$62.67.

- (4) For parcels of land containing multi-family residential units (apartments, condominiums, duplexes, townhouses, or other multi-family residential structures), an annual fee of \$20.76 per residential unit.
- (5) For parcels of land being used as mobile home parks, an annual fee of \$19.24 per mobile home located thereon.
- (6) For parcels of land being used for commercial or industrial purposes, an annual fee of \$44.76 per ERU or any portion thereof. An ERU is defined as 3,735 square feet of impervious surface.

Notwithstanding the rates as set out above, no stormwater utility rates shall be assessed on parcels of land being used as a public or private cemetery for the burial of human remains, parcels of land being used as religious campgrounds, parcels of land being used for religious purposes by religious organizations who have received tax exempt status from the Internal Revenue Service, parcels of land used as agricultural real property as defined in S.C. Code Ann. Sec. 12-43-230, as amended, provided that the agricultural real property meet the requirements set forth in S.C. Code Ann. Sec. 12-43-232, as amended, and any other parcel of land upon which no buildings, structures, or other improvements have been placed.

The rates established hereby shall be effective commencing fiscal year 2017-2018, and thereafter unless subsequently amended.

Except as amended hereby, the Code of Ordinances, Dorchester County, South Carolina, as previously amended, shall remain in full force and effect.

Should any section, paragraph, or provision of this section be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such declaration shall not affect the validity of this article as a whole or any part or provisions thereof, other than the part or provisions so decided to be invalid or unconstitutional.

This Ordinance shall be effective upon 3<sup>rd</sup> and final reading.

Approved and adopted this 6 day of February, 2017.



First Reading: 11/07/2016  
 Second Reading: 01/17/2017  
 Public Hearing: 12/05/2016  
 Third Reading: 02/06/2017

James Lex Byars III  
 James Lex Byars, III, Chairman  
 Dorchester County Council

ATTEST:  
Tracey L. Langley  
 Tracey L. Langley, Clerk of Council