

ORDINANCE NO. 13-07-25

AN ORDINANCE ESTABLISHING THE UNIFORM SERVICE FEES FOR THE BERKELEY COUNTY RURAL FIRE TAX DISTRICT AND INCREASING THE FEES FOR UNIMPROVED LOTS AND LAND; PROVIDING THAT DISTRIBUTIONS SHALL BE MADE TO THE POOLED FIRE FEE FUND; PROVIDING THAT THE FEE FOR UNIMPROVED LOTS AND LAND SHALL BE DISTRIBUTED TO A SPECIAL FUND TO BE USED FOR AN INDEPENDENT STUDY; AND OTHER MATTERS RELATED THERETO

WHEREAS, on July 29, 1996, the Berkeley County Council enacted Ordinance Number 96-7-35, thereby creating the Berkeley County Rural Fire Tax District (the "Special Tax District") and designating the uniform service charges in the Special Tax District; and

WHEREAS, from time to time, the Berkeley County Council has amended the uniform service fees in the Special Tax District; and

WHEREAS, on November 17, 2003, the Council created the Berkeley County Special Fire District Pooled Fund and directed that certain portions of the uniform service fee for residential units be distributed to the Fund; and

WHEREAS, the Council desires to increase the uniform service fee for unimproved lots and land and to use those fees to commission a study of the twenty-six rural fire departments.

NOW, THEREFORE, BE IT ENACTED by Berkeley County Council, in a meeting duly assembled, that the uniform services fees to be assessed in the Special Tax District shall be as set forth in Exhibit A, which is attached hereto and made a part hereof by reference;

BE IT FURTHER ENACTED that the uniform service fees shall be allocated pro rata among the twenty-six (26) representative fire departments with the following exceptions:

1. Distributions to the Berkeley County Special Fire District Pooled Fund shall be made as set forth in Exhibit B, which is attached hereto and made a part hereof by reference;
2. The increase in the unimproved lot and land service fee shall be distributed to a special fund that shall be used to conduct an independent certified study of the twenty-six rural fire departments to determine: the capital needs of each fire department; areas of first responsibility; areas where the fire departments can cooperate more effectively and efficiently; and means by which the departments can reduce debt; and
3. Any funds remaining after the costs of the study have been made shall be distributed to the rural fire departments in accordance with an ordinance to be adopted by the Council.

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BE IT FURTHER ENACTED that any prior ordinances establishing the amount and distribution of the uniform service fees are hereby repealed.

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ADOPTION BY COUNCIL.

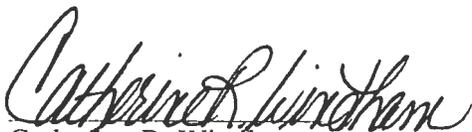
ADOPTED this 22nd day of July, 2013.

BERKELEY COUNTY, SOUTH CAROLINA



Daniel W. Davis, Chairman
Berkeley County Council

ATTEST:



Catherine R. Windham
Clerk to Council

Approved as to form:



Nicole Scott Ewing
County Attorney

READINGS:

First Reading: April 22, 2013
Second Reading: June 24, 2013
Public Hearing: July 22, 2013
Third Reading: July 22, 2013

Exhibit A

BERKELEY COUNTY SPECIAL FIRE TAX DISTRICT FEES**Residential units:**

Seventy (\$70) Dollars per year per residential unit (including mobile homes and each unit of a multi-family dwelling unit, including but not limited to townhouses, apartments, and/or condominiums);

Non-residential units:

Up to 3,000 square feet: Seventy (\$70) Dollars per year

3,001 square feet to 5,000 square feet: One Hundred Three (\$103) Dollars per year

5,001 to 10,000 square feet: Two Hundred Seven (\$207) Dollars per year

10,001 square feet to 20,000 square feet: Two Hundred Seventy-Six (\$276) Dollars per year

20,001 square feet and above: A base of Five Hundred Fifty-Two (\$552) Dollars plus Fourteen (\$14) Dollars for each additional 1,000 square feet increment or portion thereof of floor space in excess of 20,000 square feet. However, the rate cannot exceed a maximum charge of Seven Thousand Seven Hundred Twenty-Eight (\$7,728) Dollars for any structure greater than 532,000 square feet but less than or equal to 1,000,000 square feet. The maximum total charge per year for non-residential establishments having floor space in excess of 1,000,000 square feet shall not exceed Nine Thousand Two Hundred (\$9,200) Dollars.

Unimproved lots and land:

Ten Dollars (\$10) per year per unimproved with acreage of 15 acres or less;

Twenty-five (\$25) Dollars per year per unimproved lot with acreage greater than 15 acres up to 70 acres;

Fifty (\$50) Dollars per year per unimproved lot with acreage greater than 70 acres up to 250 acres;

Seventy (\$70) Dollars per year per unimproved lot with acreage greater than 250 acres.

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Exhibit B

**DISTRIBUTIONS TO THE BERKELEY COUNTY SPECIAL FIRE DISTRICT
POOLED FUND**

- A. Residential units: Five (\$5) Dollars of the uniform service fee

- B. Non-residential Units:
 - a. Up to 3,000 square feet: Five (\$5) Dollars
 - b. 3,001 to 5,000 square feet: Seven (\$7) Dollars
 - c. 5,001 to 10,000 square feet: Fifteen (\$15) Dollars
 - d. 10,001 to 20,000 square feet: Twenty (\$20) Dollars
 - e. 20,001 Square Feet and above: Forty (\$40) Dollars of the base amount plus One (\$1) Dollar for each additional 1000 square feet increment or portion thereof, not to exceed \$360 for a structure greater than 532,000 square feet but less than 1,000,000 square feet and not to exceed \$500 for a structure greater than 1,000,000 square feet.