

A RESOLUTION

CALLING FOR A PUBLIC HEARING ON THE QUESTION OF THE RECONSTITUTION AND REESTABLISHMENT OF THE HARTSVILLE FIRE PROTECTION DISTRICT IN DARLINGTON COUNTY, SOUTH CAROLINA PURSUANT TO TITLE 4, CHAPTER 19 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND OTHER MATTERS RELATING THERETO.

WHEREAS, pursuant to the provisions of Chapter 19 of Title 4 of the Code of Laws of South Carolina, 1976, as amended (the "Code"), the Darlington County Council (the "Council"), the governing body of Darlington 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 services; and

WHEREAS, pursuant to Ordinance 97-20 (the "Original Ordinance") an unincorporated area of the County has previously been demarcated and established as a special tax fire district designated the Hartsville Fire Protection District (as reconstituted and reestablished as contemplated herein, the "District"); and

WHEREAS, Council has undertaken a study of the efficiency and effectiveness of the provision and financing of fire protection through the District, including the renewal of a contract with the City of Hartsville to provide fire protection service within the District, and has determined that it will be in the best interests of the County to reestablish and reconstitute the District utilizing the provisions of Chapter 19 of Title 4 of the Code in order to make provision for certain matters necessary for the proper functioning of the District, including without limitation the establishment of the current boundaries of the District and the power of the County to issue general obligation bonds payable from ad valorem taxes levied in the District in order to finance the provision of fire protection service in the District; and

WHEREAS, Council has determined to reconstitute and reestablish the District, to approve the continuation of the annual levy and collection of ad valorem taxes for the operation and maintenance of the District, and to authorize the County to issue, from time to time by ordinance subsequent hereto, general obligations bonds of the County payable initially from a levy of ad valorem taxes within the District to finance capital improvements within and operational costs with respect to the District; and

WHEREAS, Council specifically finds that the reconstitution and reestablishment of the District satisfies the requirements and conditions of §§4-19-10 and 4-19-20 of the Code and is now minded, in accordance with the specific authorization of §4-19-10(b) of the Code, to reconstitute and reestablish the District to comprise, embrace, and consist of the aggregate area set described in "Exhibit A" attached hereto; and

WHEREAS, pursuant to said request and in compliance with Section 4-19-20 of the Code, Council has determined to hold a public hearing on the reconstitution and reestablishment of the District pursuant to Title 4, Chapter 19 of the Code.

**NOW, THEREFORE, BE IT RESOLVED BY THE DARLINGTON COUNTY COUNCIL,
SOUTH CAROLINA DULY ASSEMBLED THAT:**

Section 1.01

Pursuant to said 4-19-20 of the Code, Council hereby orders a public hearing to be held upon the question of the reconstitution and reestablishment of the District. Such public hearing on this matter shall be held in the County Council Chambers, Courthouse Annex/EMS Building, 1625 Harry Byrd Highway Darlington, South Carolina, at 6:00 p.m., or as soon thereafter as this hearing can be held, on August 15, 2022.

The Chairman of the Council is hereby authorized and empowered to take all necessary action to provide for the holding of the aforesaid public hearing in accordance with the provisions of the Enabling Act.

Section 1.02

In accordance with Section 4-19-20(2) of the Enabling Act, Notice of such Hearing, in substantially the same form as that attached hereto as "Exhibit B," shall be published once a week for three (3) successive weeks prior to said hearing in the *News and Press* or *Morning News*. The first such publication shall be made not less than sixteen (16) days prior to the date of the hearing. The County Administrator shall cause to be developed an accurate written description of the boundaries of the District and any additional maps that may be required for clarity of the boundaries of the District and to cause the same to be included in the notice of hearing for all instances of publication thereof.

Section 1.03

The aforesaid hearing shall be conducted publicly at the time and place above stated and all taxpayers, residents or other interested persons shall be given a full opportunity to be heard in person or by counsel.

Adopted and approved July 11, 2022.

ATTEST:


J. Janet Bishop
Clerk to County Council

SIGNED:



Bobby Hudson, Chairman
Darlington County Council

EXHIBIT A

**DESCRIPTION OF THE BOUNDARIES OF THE HARTSVILLE FIRE
PROTECTION DISTRICT**

The boundaries of the District shall be as described in Section 26-104 of the Darlington County Code of Ordinances, which description is incorporated herein by reference, as well as that area outside of the municipal limits of the City of Hartsville shaded purple on that map or plat dated July 28, 2011 and recorded on July 5, 2013 in the office of the Darlington County Clerk of Court in Plat Book 209 at page 197.

EXHIBIT B

NOTICE OF PUBLIC HEARING ON THE QUESTION OF THE RECONSTITUTION AND REESTABLISHMENT OF THE HARTSVILLE FIRE PROTECTION DISTRICT IN DARLINGTON COUNTY, SOUTH CAROLINA

The Darlington County Council (the "Council"), the governing body of Darlington County, South Carolina (the "County") presently proposes to reconstitute and reestablish a fire protection district in Darlington County pursuant to Section 4-19-10, et seq. of the South Carolina Code (the "Enabling Act"), previously created by Council Ordinance 97-20, which shall continue to be designated the Hartsville Fire Protection District. Such fire protection district shall be reconstituted and reestablished by ordinance of Council.

As reconstituted and reestablished, the Hartsville Fire Protection District (the "District") shall comprise, embrace, and consist of the area described in Section 26-104 of the Darlington County Code of Ordinances, which description is incorporated herein by reference, as well as that area outside of the municipal limits of the City of Hartsville shaded purple on that map or plat dated July 28, 2011 and recorded on July 5, 2013 in the office of the Darlington County Clerk of Court in Plat Book 209 at page 197. A copy of said plat or map may be obtained from the office of the Clerk to Darlington County Council, 1 Public Square, Rm 210, Darlington, SC 29532. Phone: 843-398-4100. [Here may be added any additional or in lieu of description(s) of the boundaries of the District or map reference(s) as shall be developed by the County Administrator pursuant to Section 1.02].

There shall be authorized an annual levy by the Auditor of Darlington County and the collection by the Treasurer of Darlington County of an ad valorem tax for each fiscal year as the Council may determine for the operation and maintenance of the District. The levy within the District for the operation and maintenance of the District shall be as prescribed in the County's annual budget. In addition to or in lieu of the levy of ad valorem taxes, Council may authorize the imposition of appropriate rates and charges within the District for operation and maintenance of the District. In order to provide fire protection services and facilities therefor within the District, the County may issue, without election and from time to time, general obligation bonds by the County on behalf of the District, such bonds to be payable from ad valorem taxes collected within the District.

Accordingly, notice is hereby given that a public hearing on the creation of the District will be held in the County Council Chambers, Courthouse Annex/EMS Building, 1625 Harry Byrd Highway Darlington, South Carolina, at 6:00 p.m., on Monday, August 15, 2022, in conjunction with a regularly scheduled meeting of the County Council.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel.

DARLINGTON COUNTY COUNCIL