

**SUMTER COUNTY ORDINANCE NO. 10-701**

**AN ORDINANCE APPROVING A PETITION CALLING FOR A REFERENDUM  
ON THE DISSOLUTION OF THE WEDGEFIELD- STATEBURG RURAL  
COMMUNITY WATER DISTRICT**

*WHEREAS,* The Wedgefield-Stateburg Rural Community Water District is a special purpose district created by the South Carolina General Assembly by Act #1022 of the Regular Sessions of 1964 and by Act #65 of the Regular Sessions of 1967; and

*WHEREAS,* The Wedgefield-Stateburg Rural Community Water District is authorized to provide waterworks service within its service area, as such service area was initially established by Act #65 of the Regular Sessions of 1967 and as amended by Sumter County Ordinance 09-697; and

*WHEREAS,* The Wedgefield-Stateburg Rural Community Water District operates a waterworks system that provides service within its service area; and

*WHEREAS,* The Board of Directors of the Wedgefield-Stateburg Rural Community Water District (hereinafter “WSRCWD”) has determined that it is in the best interest of the WSRCWD to dissolve in accordance with Article 15, Chapter 11, Title 6 of the Code of Laws of South Carolina (2004), entitled “Dissolution of Special Purpose Districts.” and

*WHEREAS,* The governing statutes require that before a petition may be circulated for consideration by the qualified electors of the district, the entity named in the petition as that which shall assume the assets and liabilities of the district upon dissolution and shall provide the services currently provided by the district, which in this case Sumter County, must be provided with a copy of the proposed petition; and

*WHEREAS,* Sumter County Council has receive a copy of the proposed petition requesting that a Referendum be held. The form of the petition is attached hereto as Attachment A; and

*WHEREAS,* The governing statutes require that Sumter County adopt an ordinance within one hundred twenty days following receipt of the proposed petition by which Sumter County agrees, should a referendum held pursuant to law be successful, to become responsible for the assets and liabilities of the district and to provide the service or services set forth in the petition upon the dissolution of the district.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF SUMTER COUNTY, SOUTH CAROLINA, AT ITS REGULAR MEETINGS DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:**

1. The recitals set forth above are incorporated herein and made a part of this Ordinance as findings of fact as if set forth verbatim.
2. If the Referendum is held and results in a favorable outcome, the WSRCWD will be dissolved and Sumter County shall then become responsible for the assets and liabilities of the WSRCWD and shall then and thereafter provide the services set forth in the petition.
3. Sumter County is authorized by law to provide the services currently provided by the WSRCWD and Sumter County is authorized to and shall, before the dissolution of the district, issue such obligations as are necessary to fully pay or defease all outstanding general obligation bonds, revenue bonds, lease-purchase obligations, and other obligations of the district, except to the extent, if any, that the political subdivision is able to lawfully assume the obligations with the consent of the holder thereof.
4. A certified copy of this Ordinance will be forwarded to the Board of Directors of the WSRCWD within five days of its adoption.
5. Signatures affixed to any petition before the adoption of this Ordinance are of no force or effect.
6. Sumter County does not propose to finance the provision of any services now provided by the WSRCWD to the area within the district in whole or in part through the levy and collection of *ad valorem* taxes and does not propose to create a special tax district therefor.
7. The Sumter County Council has examined the form of the Petition and is satisfied, upon due investigation and upon receiving advice of its counsel, that it is in compliance with the governing law in Article 15, Chapter 11, Title 6 of the Code of Laws of South Carolina (2004), entitled "Dissolution of Special Purpose Districts."

This Ordinance shall take effect upon third reading.

THE COUNTY COUNCIL  
FOR SUMTER COUNTY, SOUTH CAROLINA

BY: **Vivian Fleming McGhaney**

ITS: Chairman of County Council

ATTEST:

BY: *Mary W. Blanding*  
ITS: Clerk to Council

First Reading: January 26, 2010

Second Reading: February 9, 2010

Public Hearing: February 9, 2010

Third Reading: February 23, 2010