

**ORDINANCE NO. 10-715**

**AN ORDINANCE IMPOSING A UNIFORM DELINQUENCY PENALTY FOR DELINQUENT PAYMENT OF THE SOLID WASTE DISPOSAL FEE, THE STORM WATER SERVICE CHARGES AND THE TECHNOLOGY FEE FOR ALL REAL PROPERTY IN SUMTER COUNTY SOUTH CAROLINA**

WHEREAS, Sumter County Council adopted Solid Waste Disposal Fee by Ordinance 09-691; and

WHEREAS, Sumter County Council adopted the Technology fee by Ordinance 09-692; and

WHEREAS, Sumter County Council adopted Storm Water Service Charges in Ordinance 10-714<sup>1</sup>); and

WHEREAS, the referenced ordinances which created the referenced fees and service charges did not create any specific penalty for failure to pay the fees or service charges by a particular time; and

WHEREAS, it appears that certain real property owners have failed to pay the fees which have been billed to them for the Technology Fee and the Solid Waste Disposal Fee; and

WHEREAS, The Sumter County Council recognizes the need to create an incentive for real property owners to pay the referenced fees and service charges in a timely manner in order to have available the funds necessary to provide the services that the referenced fees and service charges support; and

WHEREAS, The Sumter County Council recognizes the need to recover the additional expenses caused by real property owners not paying the fees and service charges which additional expenses are primarily the costs of collecting delinquent fees and service charges,

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

1. That there is hereby imposed a delinquency penalty in the amount of Fifty (\$50.00) Dollars for failure to pay the Solid Waste Disposal Fee, the Storm Water Service Charge and the Technology Fee attributed to real property on or before March 16 of the year following the year a bill is sent.

2. Real property owners must fully pay all of the Solid Waste Disposal Fee, the Storm Water Service Charges and the Technology Fee together at the same time. The Sumter County Treasurer may not collect partial payment of any fee nor any one or two of these specific fees unless all three of these specific fees are paid in full.

3. The delinquency penalty does not apply to the Technology Fee billed on tax bills for personal property.

---

<sup>1</sup> The Stormwater Ordinance originally was numbered 10-711 but was re-introduced as 10-714 which passed on September 14, 2010.

4. The delinquency penalty on real property for which a tax bill is generated by the Sumter County Auditor shall be collected, along with the original fees and service charges, by the Sumter County Treasurer through the statutory delinquent tax collection procedures applicable to real property.

5. The delinquency penalty on real property for which a property tax bill is not generated by the Sumter County Auditor but for which a bill for fees only is generated by the Auditor shall be collected, along with the original fees and service charges, through civil debt collection procedures. In such a case, if a real property owner does not pay the Solid Waste Disposal Fee, the Storm Water Service Charge and the Technology Fee on or before June 15 of the year following the year a bill is sent and if a collection action is filed against the owner of real property for failure to pay the fees and service charges, the delinquent owner shall be liable for the fees, service charges, delinquency penalty, court costs, service of process costs and reasonable attorneys fees as set by the Court. Any judgment obtained will be filed in the Office of the Clerk of Court for the Court of Common Pleas and will collect interest at the statutory rate until paid.

6. 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: July 13, 2010

Second Reading: August 10, 2010

Public Hearing: August 10, 2010

Third Reading: August 24, 2010