

**STATE OF SOUTH CAROLINA
OCONEE COUNTY
ORDINANCE 2024-10**

**AN ORDINANCE ESTABLISHING A BUDGETARY
INCREASE LIMITATION FOR OCONEE COUNTY, SOUTH
CAROLINA; AND OTHER MATTERS RELATED
THERE TO.**

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30, Oconee County (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has the authority to enact regulations, resolutions, and ordinances not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein;

WHEREAS, the Oconee County Council recognizes the need to balance fiscal responsibility with the essential services required by its residents, and therefore seeks to implement budgetary measures that ensure sustainable growth and efficient allocation of resources while maintaining the quality of life and services expected by its citizens;

WHEREAS, the principles of transparent and accountable governance underpin the actions of the Oconee County Council, and it is imperative that fiscal policies, including limitations on budgetary increases, are clearly communicated and rooted in measurable economic indicators to uphold public trust and ensure equitable distribution of the tax burden.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. **General Fund growth limitation.** In addition to the millage increase limitation found in S.C. Code § 6-1-320 (“State Millage Cap”), any increase in the General Fund Operating Budget of the annual Oconee County budget (see S.C. Code § 4-9-140) is limited by the following formula (the “General Fund Growth Limitation”):

Any increase in the General Fund of the County’s annual budget, measured from one fiscal year to the next, is limited to an amount that is equal to or less than the percentage reflecting the County’s population growth, as measured by the percentage change in the population of the County from the previous year, as determined by the South Carolina Revenue and Fiscal Affairs Office, plus inflation, as measured by the percentage change in the Consumer Price Index (CPI) from the previous year, as determined by the South Carolina Revenue and Fiscal Affairs Office.

2. **Exceptions to General Fund Growth Limitation.** The General Fund Growth Limitation may be suspended upon a two-thirds vote of County Council for the following purposes:
 - a. To address a deficiency from the preceding fiscal year;

- b. To address an emergency or exigent circumstance that is outside of the control of the County Council, such as a natural disaster, severe weather event, act of God, act of terrorism, fire, war, riot, or other similar event;
 - c. To comply with a court order or decree;
 - d. To comply with a regulation promulgated or a statute enacted by the federal or state government after enactment of this Ordinance;
 - e. In order to effectively capture, or not lose by operation of time, any needed and available millage increase under the State Millage Cap.
 - f. To address unforeseeable budgetary needs;
3. **Carry forward provision.** Any portion of the General Fund Growth Limitation that is not utilized during the subject fiscal year may be carried forward for a period not exceeding three subsequent fiscal years. When any carried forward General Fund Growth Limitation is used, the oldest applicable fiscal year's carried forward percentage shall be used and commensurately reduced first. The General Fund Growth Limitation will, however, always be measured without regard to any carried forward amounts.
4. **State law.** To the extent that application of this Ordinance, in whole or in part, contravenes state law, specifically including the State Millage Cap, state law shall control.
5. **Miscellaneous:**
- a. **Severability.** Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by a court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
 - b. **Repealer.** All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

This Ordinance shall take effect and be in full force from and after third reading, public hearing, and enactment by the County Council.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2024.

[Signatures on Following Page]

ATTEST:

Jennifer C. Adams
Clerk to Oconee County Council

Matthew M. Durham
Chair, Oconee County Council

First Reading: February 06, 2024
Second Reading: February 20, 2024
Third Reading: March 5, 2024
Public Hearing: March 5, 2024