

**AN ORDINANCE
AMENDING CHARLESTON COUNTY CODE SECTION 2-284(a)
TO REVISE PROVISIONS REGARDING THE ACQUISITION OF REAL PROPERTY
INTERESTS, AND OTHER MATTERS RELATED THERETO**

Section 1.0 Purpose of Amendment, Findings

1. Charleston County Council has previously delegated certain authority to the County Administrator to promulgate regulations for the acquisition and transfer of real property interests for roadways, drainage projects and other projects and facilities under the Transportation Sales Tax program.
2. Additionally, other ordinances and procedures have been approved for the acquisition and transfer of interests in real property in the Greenbelts Program.
3. Section 2-284(a) of the current procurement ordinance provides rules which "...apply to the purchase and sale of county-owned real property", without making exception for the acquisition of real property for the transportation sales tax road and greenbelts programs.
4. Council now finds that certain amendments to this code section are desirable to reconcile the ordinances, policies and procedures put in place for the Transportation Sales Tax programs with the procedures for acquisition of real property interests for other purposes.

Section 2.0 Text Change

Section 2-284(a) of the Code of Ordinances of the County of Charleston is hereby amended to read as follows (amended text shown in italics):

Section 2-284. Real Property Transactions

(a) The following rules shall apply to the purchase and sale of County-owned real property:

- (1) Council shall sell, contract to sell, acquire by purchase, exchange or gift, real property only upon recommendation of the Finance Committee and approval of Council. At least one appraisal by a certified appraiser shall be received.
- (2) A public hearing must be held, after reasonable public notice, prior to final Council action being taken to sell or contract to sell property owned by the County. Sale of property may not occur until approval of an ordinance upon third reading.
- (3) Subject to (6) below, the sale or other disposal of real property owned by the

County shall be made pursuant to the Request For Proposals method.

(4) Notwithstanding (1) above, the exchange of real property is to be permitted only after appraisal of both properties by two (2) certified appraisers.

(5) The foregoing requirements shall not pertain to the sale of property rehabilitated by use of HUD funds.

(6) County Council shall retain the authority to determine, *by resolution, by delegation of authority to the County Administrator, or otherwise*, an appropriate alternative method for offering any County-owned property for sale.

(7) *The above provisions do not apply to acquisition and transfer of interests in real property for the purposes of Transportation Sales Tax projects.*

Section 3.0 -Severability

If, for any reason, any part of this ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this ordinance shall remain in full force and effect.

Section 4.0 - Effective Date

This Ordinance becomes effective upon approval following Third Reading.