

**AN ORDINANCE**

**AMENDING THE CHARLESTON COUNTY CODE OF ORDINANCES TO REPEAL PART II, CHAPTER 10, ARTICLE II, SECTION 10-22, DISPOSAL SITES AND FACILITIES**

WHEREAS, Title 44 of the Code of Laws of South Carolina, 1976, as amended, along with the South Carolina Solid Waste Policy and Management Act of 1991 (Authority) give the State of South Carolina the authority to regulate solid waste disposal sites and facilities within the state; and,

WHEREAS, Part II, Chapter 10, Article II, Section 10-22 entitled "Disposal Sites and Facilities" of the Charleston County Code of Ordinances should be repealed because it is outdated and inconsistent with the Authority; and,

WHEREAS, Charleston County Council held at least 1 public hearing and, after close of the public hearing, the County Council has determined repealing Part II, Chapter 10, Article II, Section 10-22 entitled "Disposal Sites and Facilities" of the Charleston County Code of Ordinances is in the best interests of the citizens of Charleston County; and,

WHEREAS, the proposed amendment is consistent with state law and the Charleston County Code of Ordinances;

NOW, THEREFORE, BE IT ORDAINED by County Council of Charleston County, South Carolina in meeting duly assembled, finds as follows:

**SECTION I. FINDINGS INCORPORATED**

The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

SECTION II. SECTION REPEALED

Charleston County Council hereby repeals in its entirety Part II, Chapter 10, Article II, Section 10-22 of the Charleston County Code of Ordinances entitled "Disposal Sites and Facilities".

SECTION III. 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 IV. EFFECTIVE DATE

This Ordinance shall become effective immediately upon approval following third reading.

ADOPTED and APPROVED in meeting duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2014.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
Teddie E. Pryor, Sr.  
Chairman of County Council

ATTEST:

By: \_\_\_\_\_  
Beverly T. Craven  
Clerk to County Council

First Reading: \_\_\_\_\_, 2014  
Second Reading: \_\_\_\_\_, 2014

Third Reading: \_\_\_\_\_, 2014