

#2216

Adopted: 7/12/2022

AN ORDINANCE

AMENDING ORDINANCE NUMBER 2008, AUTHORIZING AN EXCLUSIVE FRANCHISE FOR THE COLLECTION OF SOLID WASTE FROM HOUSEHOLDS IN UNINCORPORATED AREAS OF THE COUNTY AND OTHER MATTERS RELATED THERETO

WHEREAS, in 1974, County Council adopted Ordinance No. 180, codified as Section 10-16 et seq. of the Code of Ordinances of Charleston County, which established rules and regulations regarding the use and collection of solid waste in unincorporated areas of the County not serviced by a special public service district; and

WHEREAS, the Ordinance created three (3) door-to-door collection districts in the unincorporated portion of the County in Mt. Pleasant, Johns Island and North Charleston; and,

WHEREAS, the Ordinance also provided for licensing of contractors to make door-to-door curbside pickups, and to bill subscribers on a quarterly basis; and

WHEREAS, the County has subsequently conducted competitive bids and awarded contracts for the collection of household garbage, construction and demolition debris and yard waste in the collection districts pursuant to the Ordinance, county solid waste department policies and other applicable laws, rules, and regulations; and

WHEREAS, County Council believes it to be in the best interest of the County government and the health and welfare of its citizens to reaffirm that the business of collecting and subsequently transporting, transferring, disposing and/or recycling of household solid waste generated, kept, or accumulated in the collection districts previously established affects the health, safety, public welfare, and quality of life of the inhabitants of the County; that the business of collecting and disposing of household solid waste is a public service and should continue to be regulated by the County; and that the use of any public street, road highway or other public property in connection with such business is of interest to the County and a proper subject of regulation; and

WHEREAS, County Council finds it in the best interest of the citizens of the County to add a fourth door-to-door collection district in the unincorporated portion of the County in the Town of Ravenel.

WHEREAS, County Council's practice has been generally to establish a franchise by means of the adoption of an ordinance.

NOW, THEREFORE, be ordained it by the Charleston County Council, in meeting duly assembled, finds as follows:

SECTION I. FINDINGS INCORPORATED

The findings above are hereby incorporated by reference and made a part of this ordinance.

SECTION II. FRANCHISE FOR SOLID WASTE COLLECTION SERVICES

County Council hereby establishes a franchise for solid waste collection services, which authorize the execution of a contract awarded through a reoccurring competitive bid process for solid waste collection services to one or more Waste Services Provider(s), pursuant to the terms and conditions of a solicitation, respectively, which is incorporated herein by reference.

SECTION III. ADDITIONAL COLLECTION DISTRICT

Chapter 10 of the Charleston County Code of Ordinances is hereby amended so to add the following provision:

Sec. 10-19 – Collection Districts Established.

(4) District IV. District IV shall include unincorporated portions of the County in and around the Town of Ravenel.

SECTION IV. 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 V. EFFECTIVE DATE

This ordinance shall become effective immediately upon approval of County Council following third reading.

ADOPTED and APPROVED in meeting duly assembled this 12th day of July 2022

CHARLESTON COUNTY COUNCIL

By: _____
Teddie E. Pryor, Sr.
Chairman of Charleston County Council

ATTEST:

By: _____
Kristen Salisbury
Clerk to Charleston County Council