

**AN ORDINANCE  
AMENDING ORDINANCE NUMBER 2216, 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, the County has solicited or will solicit for these services, which resulted or will result in one or more bids, and awarded or will award a contract to a provider ("Waste Services Provider"), being the lowest responsive and responsible bidder with proposed fees that are reasonable; and

WHEREAS, by Ordinance 2216, County Council created a fourth door-to-door collection district in the unincorporated portion of the County in the Town of Ravenel; and

WHEREAS, County Council finds it in the best interest of the citizens of the County to expand Collection District IV to include the incorporated areas of the Town of Ravenel; and

WHEREAS, County Council, in continuance of past precedent and practice, finds that the exclusive contract to be awarded hereunder is necessary to ensure organized, cost effective, and efficient service throughout the collection districts; and

WHEREAS, South Carolina law provides that a franchise is a special privilege, not held by citizens generally, and is a right granted by the government to particular individuals or companies which will create private profits; and

WHEREAS, the regulatory system described above and the contracts to be awarded hereunder are in compliance with South Carolina law; and

WHEREAS, Trident Waste Services of South Carolina, LLC, will begin collection on July 1, 2023, as the previous provider's agreement continues through June 30, 2023; and

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.

Council hereby awards a franchise agreement for solid waste collection services to Trident Waste Services of South Carolina, LLC, pursuant to the terms and conditions of Invitation for Bids (IFB) No. 5808-23J, which are incorporated herein by reference. Trident Waste Services of South Carolina, LLC will begin servicing the areas outlined in the IFB on July 1 ,2023.

**SECTION III. ADDITIONAL COLLECTION DISTRICT**

Chapter 10 of the Charleston County Code of Ordinances is hereby amended to read as follows:

**Sec. 10-19 – Collection Districts Established.**

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

**SECTION IV. AUTHORITY TO EXECUTE DOCUMENTS; ADMINISTRATION**

The County Administrator and/or Procurement Director, as the case may be, are authorized to execute and deliver all documents and instruments necessary to memorialize the contracts awarded hereunder. Terms, conditions, specifications, termination, renewals, amendments modifications and other actions related to the contracts may be accomplished pursuant to the terms of said solicitation, the Charleston County Procurement Ordinance and Regulations, Charleston County Code Section 10-16, et seq., and other applicable laws rules and regulations.

**SECTION V. 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 VI. EFFECTIVE DATE**

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

ADOPTED and APPROVED in meeting duly assembled this 23<sup>rd</sup> day of May 2023.

CHARLESTON COUNTY COUNCIL

By: \_\_\_\_\_  
Herbert R. Sass, III  
Chairman of Charleston County Council

ATTEST:

By: \_\_\_\_\_  
Kristen Salisbury  
Clerk to Charleston County Council