

COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE NO. 24-04

An ordinance to establish a uniform service charge on vehicles registered in Lexington County for road and associated stormwater maintenance, construction, and improvements.

Whereas, Lexington County does not have sufficient funding to adequately maintain roads and stormwater drainage within Lexington County.

Whereas, It is the expressed intention of the County Council that the payment for specific governmental services be made, as much as possible, by those receiving the specific benefits of such services through the charging of appropriate fees.

Whereas, Counties are specifically permitted to assess uniform service charges and make appropriations for roads pursuant to S.C. Code § 4-9-30(5) and § 6-1-330.

Now, Therefore, be it ordained as follows:

Section 1. Road Maintenance Fee Established.

- a) The owners of every vehicle, with the exception of those vehicles defined in subsection (b), required to be registered and licensed in the county by the state department of public safety-division of motor vehicles and for which a property tax is issued, shall pay annually to the county treasurer a road maintenance fee of **thirty (\$30) dollars** on each such vehicle.
- b) The road maintenance fee shall not apply to mobile or manufacturer houses and vehicles that are exempt from taxation by the South Carolina Department of Revenue.
- c) The road maintenance fee shall be included on motor vehicle tax and registration notices and are due at the same time as the vehicle tax and registration notices.
- d) The proceeds from the collection of such fees shall be deposited into the county general fund special road maintenance account. The proceeds of such funds shall be specifically used to maintain, construct, and improve the public roads and associated storm drainages within Lexington County to include personnel, operating, and capital associated with these services as well as to pay for the debt service on any outstanding general obligation bond issued for said improvements. Any interest earned on these funds shall accrue to this account. Funds not used in any fiscal year shall be carried forward and used for the construction, maintenance and improvements of publicly maintained roads and related stormwater drainage.
- e) In the event a registration is cancelled and the auditor orders a refund of property tax pursuant to S.C. Code section 12-37-2725, a refund of the road maintenance fee shall also be made in the same manner and proportion as the property tax is refunded.

Section 2. Failure to pay.

No person shall drive or allow another person to drive a vehicle that is registered in Lexington County that is subject to the vehicle user fee on a public road without having paid the vehicle user fee on or before this due date.

Section 3. Civil Penalty.

If the vehicle road maintenance fee is not paid by its due date, a civil action may be brought for its collection.

Section 4. Sunset Provision.

This ordinance shall terminate as of December 31 of the year of the effective date of the approval of a Capital Projects Sales Tax or Transportation Tax in Lexington County.

Section 5. Effective date.

The road maintenance fee shall be effective to vehicle tax bills issued for January 1, 2025 and each month thereafter.

LEXINGTON COUNTY, SOUTH CAROLINA

{SEAL}

By: _____
Beth A. Carrigg, Council Chairwoman

Attest:

By: _____
Jessica C. Hendrix, Clerk to Council

First Reading: March 12, 2024
Public Hearing: _____
Second Reading: _____
Third & Final Reading: _____
Filed with Clerk of Court: _____