

## ARTICLE 3.

### GREENVILLE AND SPARTANBURG COUNTIES

**SECTION 55-11-110.** Greenville-Spartanburg Airport District created.

The territory embraced by the counties of Greenville and Spartanburg is hereby constituted an airport district and political subdivision of this State, the functions of which shall be public and governmental, and the inhabitants of such territory are hereby constituted a body politic and corporate. The corporate name of the airport district shall be Greenville-Spartanburg Airport District, and by that name the airport district may sue and be sued.

HISTORY: 1962 Code Section 2-315; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-120.** Greenville-Spartanburg Airport Commission created; membership; terms; vacancies.

The corporate powers and duties of the District shall be exercised and performed by a Commission to be known as Greenville-Spartanburg Airport Commission. The Commission shall be composed of six members to be appointed by the Governor as follows: Three of the members shall be residents of Spartanburg County and the original members shall be appointed upon the recommendation of a majority of the members of the Spartanburg County legislative delegation. Three of the members shall be residents of Greenville County and the original members shall be appointed upon the recommendation of a majority of the members of the Greenville County legislative delegation. The term of office of one of the original members from Greenville County and one of the original members from Spartanburg County shall be for two years. The term of another of the original members from Greenville County and another of the original members from Spartanburg County shall be for four years. The two remaining members and the successors in office of all the members of the Commission shall serve for a term of six years. The term of each member shall expire on the January first nearest to the end of the term of years for which he is appointed under the foregoing provision; provided, that each member shall serve until his successor is appointed and qualified. Upon the expiration of the term of each commissioner his successor shall be elected in the same manner as set forth above. Upon election by a majority of the Spartanburg delegation or a majority of the Greenville delegation, as the case may be, then the secretary or acting secretary of the county delegation shall certify the approval to the Governor, who shall commission the nominee for the term provided by the provisions of this section. Any new member shall be a suitable person who is a resident of the same county as the member he is to succeed. Successors shall be appointed to serve for the unexpired term of members who die or resign in like manner and upon like recommendation as hereinabove set forth.

HISTORY: 1962 Code Section 2-316; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-130.** Commission officers; commissioners' expenses.

The Commission shall appoint one of its members as chairman and one of its members, or any other competent person, as secretary of the Commission. The chairman of the Commission shall serve for a term of two years and until his successor is appointed and qualified. The members of the Commission shall serve without compensation, except for their actual expenses while in performance of duties prescribed under this article.

HISTORY: 1962 Code Section 2-317; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-140.** Powers and duties of Commission.

To the Commission is hereby committed the function of planning, establishing, developing, constructing, enlarging, improving, maintaining, equipping, operating, regulating, protecting and policing an airport and air navigation facility to serve the people of the District and the public generally. To this end, the Commission may:

- (1) Have perpetual succession.
- (2) Adopt, use and alter a corporate seal.
- (3) Make bylaws for the management and regulation of its affairs, and define a quorum for its meetings.
- (4) Requisition, from time to time, monies from the State Treasurer which have been derived from the principal proceeds of general obligation bonds issued pursuant to 1959 Acts and Joint Resolutions (51 Statutes at Large) No. 99, whenever, in the opinion of the Commission, funds are required for any purposes for which the bonds shall have been issued. The requisition shall certify to the State Treasurer the sum which, in the opinion of the Commission, is required and shall set forth generally the nature of the purposes to which the monies are to be applied. Following the requisition of monies, they shall be deposited in any bank or trust company having an office within the district, and shall thereafter be withdrawn and expended by the Commission for the purposes for which the bonds were issued.
- (5) Deposit and withdraw monies realized from the sale of revenue bonds issued pursuant to Section 55-11-150 and to expend the monies in the manner prescribed by the proceedings authorizing the issuance of the revenue bonds.
- (6) Deposit monies derived from revenue producing facilities in any bank or trust company having an office within the district and withdraw the monies for the purpose of operating, maintaining, constructing, improving, and extending any facility in its charge.
- (7) Plan, establish, develop, construct, enlarge, improve, maintain, equip, operate, regulate, protect and police its airport and air navigation facility under such reasonable rules and regulations as the Commission may from time to time promulgate.
- (8) Maintain and extend runways, terminals, maintenance shops, access roads, utilities systems, concessions, accommodations, and other facilities of whatever nature or kind for the comfort and accommodation of air travelers; purchase and sell supplies, goods and commodities as an incident to the operation of its airport facilities; and for all such purposes the Commission may by purchase, gift, devise, lease, eminent domain proceedings, or otherwise acquire, hold, develop, use, lease, mortgage, sell, transfer, and dispose of any property, real or personal, or any interest therein, including easements in airport hazards, or land outside the boundaries of its airport or airport site, necessary to permit the removal, elimination, obstruction-marking or obstruction-lighting, of airport hazards, or to prevent the establishment of airport hazards.
- (9) License, lease, rent, sell or otherwise provide for the use of any of its airport facilities, including the privilege of supplying goods, commodities, things, services or facilities at such airport by any persons qualified to use them, as its discretion may dictate; provided, that in no case shall the public be deprived of its rightful, equal and uniform use of the airport, air navigation facility, or portion or facility thereof.
- (10) Place in effect and, from time to time, revise such schedules of licenses, rates, and charges for the use of its facilities as may be necessary or desirable to the orderly operation of the airport facility of the District; provided, that all such rates and charges shall be reasonable and nondiscriminatory.
- (11) Exercise the power of eminent domain for any corporate function. The power may be exercised through any procedure prescribed by Sections 28-9-10 to 28-9-110. All powers conferred on municipalities under Sections 28-9-10 to 28-9-110 are conferred herein on the Commission.
- (12) Appoint officers, agents, employees and servants and prescribe the duties of such, including the right to appoint persons charged with the duty of enforcing its rules and regulations as provided for in item (7) of this section, fix their compensation and determine if and to what extent they shall be bonded for the faithful performance of their duties.

(13) Employ engineers, architects and attorneys and contract for such other services of a technical or professional nature as may be necessary or desirable to the performance of the duties of the Commission.

(14) Make contracts for the construction, erection, maintenance and repair of the facilities in its charge, in accordance with the State Procurement Code, Chapter 35, Title 11.

(15) Apply for, accept, receive, receipt for, disburse and expend Federal, State, county or municipal monies and other monies, public or private, made available by grant or loan or both, to accomplish, in whole or in part, any of the purposes of this article and, to this end, continue to prosecute any application filed with the Federal Aviation Administration or any other federal agency, by joint action of the Spartanburg County and Greenville County legislative delegations and pay from the funds of the district any costs heretofore or hereafter incurred for any services rendered, since the date the application was filed, in connection with the procuring or processing of the application which are found by the commission to legitimately inure to the benefit of the district. All federal monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the United States and as are consistent with state law, and all other monies accepted under this section shall be accepted and expended by the commission upon such terms and conditions as are prescribed by the State or other sources thereof.

(16) Do all other acts and things necessary or convenient to carry out any function or power committed or granted to the district.

HISTORY: 1962 Code Section 2-318; 1959 (51) 101; 1960 (51) 1712; 1961 (52) 264; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-150.** Issuance of revenue bonds.

The commission may, on behalf of the district, borrow money and make and issue negotiable bonds, notes and other evidences of indebtedness payable solely from the revenue derived from the operation of any revenue-producing facility or facilities in its charge. The sums borrowed may be those needed to pay costs incident to the operation and maintenance of its airport facility or such sums as may be needed to pay the cost of any extension, addition or improvement to its airport facility, or both. If the method of financing authorized by this section is used, neither the faith and credit of this State nor of any county lying within the district nor of the district itself shall be pledged to the payment of the principal and interest of the obligations, and there shall be on the face of such obligation a statement, plainly worded, to that effect. Neither the members of the commission nor any person signing the obligations shall be personally liable thereon. That a convenient procedure for borrowing money pursuant to this section may be prescribed, the district may avail itself of all powers granted by Chapter 17, Title 6, notwithstanding the fact that the district shall not otherwise be deemed to be a municipality. In exercising the powers conferred upon the district by such code provisions, the district may make all pledges and covenants authorized by any provision thereof, and may confer upon the holders of its securities all rights and liens authorized by such code provisions. Specifically, and notwithstanding contrary provisions in any such code provisions, the district may:

(1) provide that such bonds, notes or other evidences of indebtedness be payable, both as to principal and interest, from the net revenues derived from the operation of any revenue-producing facility or facilities, as such net revenues may be defined by the Commission;

(2) covenant and agree that upon its being adjudged in default as to the payment of any installment of principal and interest upon any obligation issued by it or in default as to the performance of any covenant or undertaking made by it, that in such event the principal of all obligations of such issue may be declared forthwith due and payable, notwithstanding that any of them may not have then matured;

(3) confer upon a corporate trustee the power to make disposition of the proceeds from all borrowings and also all revenues derived from the operation of the revenue-producing facility whose revenues are pledged for the payment of such obligations, in accordance with and in the order of priority prescribed by

resolutions adopted by the commission as an incident to the issuance of any notes, bonds or other evidences of indebtedness;

(4) dispose of its obligations at public or private sale and upon such terms and conditions as it shall approve;

(5) make such provision for the redemption of any obligations issued by it prior to their stated maturity, with or without a premium, and on such terms and conditions as the commission shall approve;

(6) covenant and agree that any cushion fund established to further secure the payment of principal and interest of any obligation shall be in a fixed amount;

(7) covenant and agree that it will not enter into any agreements with any person or with the government of this State, the United States, or any of their political subdivisions, for the furnishing of free services where such services are ordinarily charged for;

(8) prescribe the procedure, if any, by which the terms of the contract with the holders of its obligations may be amended, the number of obligations whose holders must consent thereto, and the manner in which such consent shall be given; and

(9) prescribe the evidences of default and conditions upon which all or any obligation shall become or may be declared due before maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

HISTORY: 1962 Code Section 2-319; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-160.** Disposition of unpledged revenues.

All revenues derived by the commission from the operation of any revenue-producing facility which may not be required to discharge covenants made by it in issuing bonds, notes or other obligations authorized by Section 55-11-150, shall be held, disposed of or expended by the commission for purposes germane to the functions of the district.

HISTORY: 1962 Code Section 2-320; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-170.** Rates not subject to State supervision or regulations.

The rates charged for services furnished by any revenue-producing facility of the district as constructed, improved, enlarged or extended shall not be subject to supervision or regulation of any State bureau, commission, board or other like instrumentality or agency thereof.

HISTORY: 1962 Code Section 2-320.1; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-180.** Property and income exempt from taxes.

Property and income of the district are exempt from all taxes and fees levied by the State, county or any municipality, division, subdivision or agency of them, direct or indirect.

HISTORY: 1962 Code Section 2-320.2; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-185.** Airport district property may not be annexed; conditions.

No municipality may annex any real property owned by the district without prior written approval of the commission.

HISTORY: 1995 Act No. 99, Section 2, eff June 12, 1995; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-190.** Obligations not to be impaired.

So long as the district shall be indebted to any person on any bonds, notes or other obligations issued pursuant to the authority of this article, provisions of this article and the powers granted to the district and the commission shall not be in any way diminished, and the provisions of this article shall be deemed a part of the contract between the district and the holders of such obligations.

HISTORY: 1962 Code Section 2-320.3; 1959 (51) 101; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-200.** Contributions by counties equalized.

During each year in which an ad valorem tax is levied on the property with the Greenville-Spartanburg Airport District, the commission of said district shall determine the total amount realized from such tax and notify the treasurer of that county, paying to the Comptroller General less than that turned over to said Comptroller General by the other county. Thereupon such treasurer shall, from the general funds of his county, pay to the treasurer of the other county, to be placed in the general funds, such amount as shall be necessary to equalize the amount contributed by each county.

HISTORY: 1962 Code Section 2-320.4; 1959 (51) 134; 1962 (52) 1909; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-210.** Promulgation of rules and regulations governing use of roads, streets and parking facilities on District lands; sale of alcoholic beverages.

The commission is authorized to allow the sale of alcoholic beverages at facilities on airport property designed for the sale of food and beverage items. The hours and days of sales must be established and regulated by the commission, and may not be in conflict with state law and to adopt and promulgate rules and regulations governing the use of roads, streets, buildings, services, and parking facilities on lands of the Greenville-Spartanburg Airport District. These rules and regulations shall not be in conflict with any state law and all state laws shall be applicable to the roads, streets and parking facilities under the control of the commission. Rules and regulations of the commission shall become effective when filed with the Executive Secretary of the Greenville-Spartanburg Airport and in the Office of the Secretary of State in accordance with Chapter 23, Title 1.

The commission is authorized to employ police officers commissioned by the Governor to enforce all laws and the rules and regulations authorized in this section, and these officers shall be authorized to issue summonses for violations in the manner authorized for state highway patrolmen. Violations of a law, a rule, or regulation of the commission within the jurisdiction of the Circuit Court of Spartanburg shall be tried in that court. Violations not within the jurisdiction of that court shall be tried by any magistrate or other court of competent jurisdiction. A person who wilfully or intentionally violates the rules and regulations of the commission is guilty of a misdemeanor, and upon conviction, must be fined not more than two hundred dollars, or as otherwise provided by law, or be imprisoned for not more than thirty days.

All fines and forfeitures collected pursuant to the provisions of this section shall be forwarded weekly to the Greenville-Spartanburg Airport Commission by the enforcing court for deposit in the general operating fund of the district.

HISTORY: 1962 Code Section 2-318.1; 1975 (59) 45; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-220.** Property not barrier to contiguity for annexation purposes.

No such airport district property shall be a barrier to the contiguity requirements for the purposes of annexation. Any municipality or political subdivision which is contiguous to property owned by such multicounty airport district may annex, as provided by law, any property contiguous to such airport district property. Provided, that this provision shall be applicable to annexations taking place after October 1, 1994.

HISTORY: 1995 Act No. 99, Section 3, eff June 12, 1995; 2012 Act No. 270, Section 5, eff June 18, 2012.

**SECTION 55-11-230.** Designation of airport environs area; creation of Greenville-Spartanburg airport environs planning commission.

(A) An area designated as the airport environs area is created within the district for purposes of assuring land uses compatible with airport operations. The airport environs area consists of all property contained within the area described as follows:

All property consisting of the area described in the Air Installation Compatible Use Zone pursuant to DODINST 4165.57 established by the United States Air Force applicable to runways 4L-22R (11,000 feet) and the proposed parallel runways 4R-22L (8,500 feet) including the CLEAR ZONES, ACCIDENT POTENTIAL ZONE I, and the ACCIDENT POTENTIAL ZONE II. Specifically, the environs includes all property 1,000 feet to each side of the runway centerlines and in a corridor 3,000 feet (1,500 feet either side of the runway centerlines) wide, extending from the runway thresholds along the extended runway centerlines for a distance of 15,000 feet, and shall include the property located between the two corridors; provided, however, that the southwestern boundary of the environs area shall be the middle of Rocky Creek.

(B)(1) There is created the Greenville-Spartanburg Airport Environs Planning Commission, the "Airport Environs Planning Commission", consisting of nine voting members, which have the powers enumerated herein, and which must be separately constituted from the Greenville-Spartanburg Airport Commission, as follows:

(a) two members representing and appointed by the City of Greer, one of whom also must be a resident of Greenville County and one of whom also must be a resident of Spartanburg County;

(b) two members representing and appointed by Spartanburg County;

(c) one member representing and appointed by the Town of Duncan;

(d) two members representing and appointed by Greenville County;

(e) all members must be appointed or reappointed biennially by the appointing county or municipality;

(f) two members must be appointed or reappointed biennially by the Greenville-Spartanburg Airport District, one from Spartanburg County, and one from Greenville County.

If the members are elected members of the county or municipal governing body or members of the district, each such representative shall serve ex officio and with full voting privileges.

(2) If any new municipality is created where its boundaries are wholly or partially within the airport environs area, or if any existing municipality extends its corporate boundaries into the airport environs area, that municipality becomes entitled to appoint a member of the Airport Environs Planning Commission with a representative appointed as described in item (1)(g) of this subsection, and the membership shall expand accordingly.

(3) The Airport Environs Planning Commission is charged with the responsibility of:

(a) developing a coordinated comprehensive land use plan for the airport environs area in a manner consistent with the process referred to in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 contained in Article 3, Chapter 29, Title 6; however, once the Airport Environs Planning Commission has adopted a land use plan, no further action by any other commission or governing body is necessary in order to give effect to the regulations thereby adopted;

(b) updating the land use plan to reflect changes in the airport environs area and the uses of the airport; and

(c) monitoring the administration of and compliance with the plan by the affected counties and municipalities. The commission's actions are to assure that land use within the airport environs area is compatible with noise, health, safety, and welfare considerations arising from the operation of the district. The initial meeting of the Airport Environs Planning Commission must be held within forty-five days of the effective date of this section.

(4) By January 31, 1996, the Airport Environs Planning Commission shall develop a uniform land use plan and uniform building performance standards for the airport environs area, submit them for review and comment to the governing body of each political subdivision represented on the Airport Environs Planning Commission, as well as the South Carolina Department of Commerce and the Federal Aviation Administration, conduct public hearings pursuant to Article 3, Chapter 29, Title 6, on the proposed uniform plan and standards. After receiving comments and conducting hearings, the Airport Environs Planning Commission shall adopt a land use plan and building performance standards to be effective throughout the airport environs area and enforced fully and without amendment by each political subdivision represented on the Airport Environs Planning Commission. The Airport Environs Planning Commission, by majority of all voting members, may extend the January 31, 1996, deadline for a reasonable period of time not to exceed beyond March 31, 1996, for the completion of these tasks. Each political subdivision shall enforce the uniform plan and standards as an "overlay zone", identifying areas subject to regulation which are supplementary to the existing regulations of that political subdivision, or as new or superseding provisions to that political subdivision's ordinances. If there is a conflict between the provisions adopted by the Airport Environs Planning Commission under this section or regulations of a political subdivision applicable to the airport environs area, then the provisions adopted by the Airport Environs Planning Commission under this section shall govern. If a uniform land use plan or uniform building performance standards are not developed by the Airport Environs Planning Commission in the manner provided in this section, any of the entities represented on the Airport Environs Planning Commission may file an action for relief, including mandamus or injunctive relief, in the circuit court for Greenville or Spartanburg County, to require adoption of the plan or standards, or both, as directed by this section. Such an action must be brought within sixty days of the deadline as set forth above.

(5) The Airport Environs Planning Commission shall organize itself, electing one of its members as chairman and one of its members as vice chairman, whose terms must be for two years. It shall appoint a secretary, who may or may not be a member, but who must be a representative or employee of the Airport District. The secretary shall give notice of all meetings to all members of the Airport Environs Planning Commission at least three business days prior to the meeting.

(6) The Airport Environs Planning Commission shall provide for the keeping of minutes of its proceedings which shall be a public record. A majority of the voting members of the Airport Environs Planning Commission shall constitute a quorum. A quorum shall be present before any business is conducted, other than the rescheduling of the meeting. A member must be present to vote. All decisions shall be by majority vote of the members present and voting. The Airport Environs Planning Commission, as it considers appropriate, may utilize committees and subcommittees. The general administrative expenses of the Airport Environs Planning Commission shall be borne by the Greenville-Spartanburg Airport District. A budget for such expenses shall be developed by the Airport Environs Planning Commission to include anticipated costs for consultants.

(7) The Airport Environs Planning Commission is subject to the provisions of the Freedom of Information Act as contained in Chapter 4, Title 30.

(8) The Airport Environs Planning Commission shall work with the Greenville and Spartanburg County Planning Commissions and the planning commission of each affected municipality in the performance of its duties as outlined in item (4) of this subsection. The costs of the services of consultants and advisors, other than provided for in the budget, rendered to the Airport Environs Planning Commission at the request of a specific member must be borne by that member unless otherwise approved by the Airport Environs Planning Commission.

(9) In developing the uniform land use plan and uniform building standards, the Airport Environs Planning Commission shall specifically address, among other items, the following specific issues:

(a) the providing of record notice to property owners of the fact that their property is within the airport environs area;

(b) density criteria for the airport environs area;

(c) sound abatement permit and building criteria;

(d) incompatible use criteria and definition for the airport environs area;

(e) height restriction criteria;

(f) lighting hazard criteria within the airport environs area;

(g) applicable FAA and state regulations for airport activities and operations;

(h) a method by which landowners may seek variances or exemptions from the plans or standards by executing in recordable form aviation or aviation easements, releases, or other appropriate documentation in a form approved by the Airport Environs Planning Commission;

(i) application and review processes for building permits;

(j) the providing of ongoing notice to the Airport Environs Planning Commission and each of its members of pending zoning or permitting requests and other actions in the affected counties and municipalities to assure that each member has notice and the opportunity to be heard with respect to such actions;

(k) enforcement and penalty provisions, including injunctive relief;

(l) the utilization of fees to be imposed to defray costs for services and attendant expenses involved in the administration of the regulations;

(m) the development of uniform standards for regulating nonconforming uses; and

(n) the uses in the airport environs area and the sub-area based on future projected uses of the airport which are not compatible and should not be permitted, which are basically incompatible and should be discouraged, and which are generally compatible with some limitations or restrictions. Such determination shall take into account the public safety and public welfare findings set forth in Section 1 hereof. Such determinations are to conform to and be consistent with noise and overflight zone-compatible land use recommendations of federal and state authorities, including specifically policies established by the United States Air Force pursuant to DODINST 4165.57 Air Installation Compatible Use Zone (AICUZ), the uses recommended in the 1993 Greenville-Spartanburg Development Plan adopted by the county planning commissions, and the South Carolina Department of Commerce, Aviation Division.

(10) Following the adoption of the uniform land use plan and uniform building and performance standards by the Airport Environs Planning Commission, each political subdivision is responsible for the implementation and administration of the uniform provisions within its jurisdiction, including all administrative costs incurred in connection therewith. The district shall pay for any exceptional administrative costs determined by the Airport Environs Planning Commission, and agreed to by the district, to be direct and reasonable costs resulting from any special task required in the administration of the uniform plan and building performance standards. Additionally, the district shall pay for the reasonable administrative expenses involved in the monitoring activities described in item (3)(c) of this subsection. The Airport Environs Planning Commission shall meet at least annually to review the administration of the uniform plan and building performance standards by the member bodies, to consider issues which may require modifications or additions to the uniform provisions, to recommend appropriate studies to evaluate the effectiveness of the objectives of the uniform provisions, to consider future activities of the district and the impact of the same upon the airport environs area, and conduct such other business as may be appropriate. Based upon these activities, the Airport Environs Planning Commission may determine a need for amendments to the uniform provisions. Amendments shall be made in accord with the same uniform provisions on conducting hearings and submitting for review and comments for the initial uniform land use plan and uniform building performance standards.

(11)(a) In connection with the administration of the uniform provisions by any member political subdivision, the Airport Environs Planning Commission as a whole or any of its member bodies



individually or collectively, including the district, have standing to appear and support or oppose the proposed action of the particular political subdivision involved and have the same standing to appeal this action as the affected political subdivision or the affected landowner would have under Article 5, Chapter 29, Title 6.

(b) Affected property owners or other aggrieved parties have the same standing to appeal rights with respect to a decision by a member political subdivision pursuant to its administration of the uniform provisions as property owners or aggrieved parties have in accordance with the appeal processes provided in Article 5, Chapter 29, Title 6.

(12) A lawful use which exists on the date of adoption by the Airport Environs Planning Commission of the uniform provisions required by this section and which is inconsistent with the provisions of the uniform land use plan or uniform performance building standards is exempt from the uniform provisions, and any regulation created by these uniform provisions may not require the removal or alteration of any structure that, as it exists when the uniform provisions are adopted, did not conform to that regulation.

(13) All costs, fees, or awards, or any combination of these, arising from or as a result of any action of the Airport Environs Planning Commission or the enforcement of the uniform provisions enacted pursuant to this section in excess of any state or federal funds received to defray such costs, fees, or awards must be borne by the counties in which the Greenville-Spartanburg Airport District is located; provided, however, any municipality or county administering the comprehensive land use plan and uniform buildings standards adopted by the Airport Environs Planning Commission is only liable for any costs, fees, or awards arising from their ministerial acts.

(C) The provisions of this section do not apply to dwellings or other buildings which are damaged or destroyed and which are subsequently repaired or rebuilt.

HISTORY: 1995 Act No. 100, Section 2, eff June 12, 1995; 1996 Act No. 265, Sections 1, 2, 3, 4, 5, and 6, eff April 1, 1996; 2012 Act No. 270, Section 5, eff June 18, 2012.