

Chapter 3

AIRPORTS AND AVIATION*

- Art. I. In General, §§ 3-1—3-20
Art. II. Airport Commission, §§ 3-21—3-40
Art. III. Airport Safety Height, §§ 3-41—3-54

ARTICLE I. IN GENERAL

Secs. 3-1—3-20. Reserved.

ARTICLE II. AIRPORT COMMISSION

Sec. 3-21. Creation.

The airport commission as established by Act 106 of 1965 is hereby abolished and there is hereby created as the successor of the commission the Lancaster County airport commission. (Ord. No. 68, 6-24-81)

Sec. 3-22. Purpose.

The purpose of the airport commission shall be to administer the handling of all matters affecting airports and to establish rules, policies, plans and procedures for the county airport. (Ord. No. 68, 6-24-81)

Sec. 3-23. Composition.

The airport commission shall be composed of five (5) members appointed by the county council. The initial appointments shall be for one (1), two (2), three (3), four (4) and five (5) years, respectively, and thereafter all terms shall be for five (5) years or until their successors have been appointed and qualify. Members shall

*State law reference—Aeronautics generally, S.C. Code 1976, § 55-1-10 et seq.

be ineligible for reappointment for a period of two (2) years between terms.

(Ord. No. 68, 6-24-81)

Sec. 3-24. Meetings; vacancies.

The airport commission shall meet quarterly and at other times at the call of the chair; the commission shall annually elect a chairman and secretary. Any member who fails to meet with the commission for one (1) year shall be subject to immediate removal. In such cases, or in case of any other vacancy, the chairman shall notify the council in writing of the vacancy. Council shall appoint members as vacancies arise to fill the term of the previous member.

(Ord. No. 68, 6-24-81)

Sec. 3-25. Duties.

The airport commission shall:

- (1) Prepare annual expense and revenue budgets for the operation of the county airport and the functions of the airport commission.
- (2) To recommend methods of management and operation of the county airport.
- (3) To appoint an operator for the county airport, subject to approval by the county council.
- (4) To develop plans for the maintenance and future uses of the county airport.
- (5) Accept for and in behalf of the county, by deed, gift or otherwise from the federal government or any of its agencies, any and all property of every kind or description the ownership of which by the commission may tend to promote and advance aeronautics in the county, provided that any property be titled to the county.

(Ord. No. 68, 6-24-81)

Sec. 3-26. Financial controls; audit.

(a) The airport commission is subject to the purchasing rules and financial procedures of the county as adopted by the county council. The commission shall designate a person on the commission as liaison with the offices of the county administrator and director of finance to ensure compliance with these regulations.

(b) The airport commission shall annually have an independent audit of the financial records of the commission. The audit shall be furnished to the director of finance's office within four (4) months of end of fiscal year but not later than February 1. The audit shall be performed by an auditor to be selected by county council. All audits shall include all revenues received by the airport and shall include an accounting by the operator of all revenues received and all expenses of operation. All records of the operator in connection with his activity at the airport are subject to review by the council, the auditors of the county, and the office of the administrator or director of finance upon request. (Ord. No. 68, 6-24-81)

Cross reference—Audits of agencies as part of budget process, § 2-184.

Sec. 3-27. Records and reports.

(a) The airport commission shall maintain records of its meetings and shall forward copies of the minutes of each meeting to the county council within thirty (30) days of each meeting. The minutes shall reflect the date of the meeting, the members present and the business considered and decided. The secretary of the commission will transcribe the minutes of each meeting and forward them to the office of the county administrator for typing and distribution.

(b) The airport commission is a public body within the meaning of Section 30-4-10 et seq. of the Code of Laws of South Carolina of 1976 as amended, also known as the Freedom of Information Act, hereinafter the Act, and as such is required to give public notice of its meetings and agendas and to attempt to notify the press thereof as required by the Act. Meetings may be closed only in accordance with statutory procedures in the Act.

(c) The airport commission shall report annually to the council, or upon request, concerning its activities. The council shall designate the time for the annual report.
(Ord. No. 68, 6-24-81)

Sec. 3-28. Legal counsel.

In the event the airport commission requires the advice of legal counsel, the commission shall first contact the county attorney. If for any reason the county attorney is unable to represent the commission, the county attorney shall so advise the commission and the council. The county council, upon recommendation of the commission, may provide substitute counsel if deemed necessary by the county council.
(Ord. No. 68, 6-24-81)

Cross reference—Authorization required for use of attorney other than county attorney, § 2-105.

Secs. 3-29—3-40. Reserved.

ARTICLE III. AIRPORT SAFETY HEIGHT

Sec. 3-41. Short title.

This article shall be known and may be cited as "The Lancaster County Airport Safety Height Ordinance."
(Ord. No. 90, § 1, 11-1-82)

Sec. 3-42. Definitions.

As used in this article, unless the context otherwise requires:

Airport: The Lancaster County Airport.

Airport elevation: 486 feet above mean sea level.

Airport hazard: Any structure or object of natural growth located on or in the vicinity of a public airport, or any use of land near such airport, which obstructs the airspace required for the flight of aircraft in landing or takeoff at such airport or is otherwise hazardous to such landing or takeoff of aircraft.

Approach, transitional, horizontal, and conical zones: These zones apply to the area under the approach, transitional, horizontal and conical surfaces defined in FAR part 77.

Board of adjustment: A board consisting of five (5) members appointed by the authorizing legislation as provided in the authorizing legislation.

Height: For the purpose of determining the height limits in all zones set forth in this article and shown on the approach and profile plan, the datum shall be mean sea level elevation unless otherwise specified.

Nonconforming use: Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this article or an amendment thereto.

Nonprecision instrument runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned, and for which no precision approach facilities are planned or indicated on an FAA planning document or military service's military airport planning document.

Person: An individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity. It includes a trustee, receiver, assignee, or similar representative of any of them.

Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface of a runway will be that width prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach existing or planned for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway center line.

Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Structure: An object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, earth formations, and overhead transmission lines.

Tree: Any object of natural growth.

Utility runway: A runway that is constructed for and intended to be used by propeller-driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight and less.

Visual runway: A runway intended solely for the operation of aircraft using visual approach procedures with no straight-in instrument approach procedure and no instrument designation indicated on an FAA airport layout plan that has been approved, a military service's approved military airport layout plan, or by any planning document submitted to the FAA by competent authority.

(Ord. No. 90, § 2, 11-1-82)

Sec. 3-43. Airport zones established.

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying within the approach zones, transitional zones, horizontal zones, and conical zones as they apply to a particular airport. Such zones are shown on the "Lancaster County Airport Approach and Profile Plan," consisting of one (1) sheet, prepared by Lott Parrish and Associates, and dated October 6, 1981, which is made a part hereof. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- (1) **Runway larger than utility visual approach zone:** The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of one thousand five hundred (1,500) feet at a horizontal distance of five thousand (5,000) feet from the primary sur-

face. Its center line being the continuation of the center line of the runway.

- (2) *Runway larger than utility with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone:* The inner edge of this approach zone coincides with the width of the primary surface and is five hundred (500) feet wide. The approach zone expands outward uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand (10,000) feet from the primary surface, its center line being the continuation of the center line of the runway.
 - (3) *Transitional zone:* These zones are hereby established as the area beneath the transitional surfaces. These surfaces extend outward and upward at ninety-degree angles to the runway center line and the runway center line extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional zones for those portions of the precision approach zones which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet measured horizontally from the edge of the approach zones and at ninety-degree angles to the extended runway center line.
 - (4) *Horizontal zone:* The horizontal zone is hereby established by swinging arcs of ten thousand (10,000) feet radii from the center of each end of the primary surface of each runway, and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
 - (5) *Conical zone:* The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of four thousand (4,000) feet. The conical zone does not include the precision instrument approach zones and the transitional zones.
- (Ord. No. 90, § 3, 11-1-82)

Sec. 3-44. Airport zone height limitations.

Except as otherwise provided in this article, no structure or tree shall be erected, altered, allowed to grow, or maintained in any zone created by this article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- (1) *Runway larger than utility visual approach zone:* Slopes upward twenty (20) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of five thousand (5,000) feet along the extended runway center line.
- (2) *Runway larger than utility with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone:* Slopes upward thirty-four (34) feet horizontally for each foot vertically beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of ten thousand (10,000) feet along the extended runway center line.
- (3) *Transitional zones:* Slopes upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach zones, and extending to a height of one hundred fifty (150) feet above the airport elevation which is four hundred eighty-six (486) feet above mean sea level. In addition to the foregoing, there are established height limits sloping upward and outward seven (7) feet horizontally for each foot vertically beginning at the sides of and at the same elevation as the approach zones, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, height limits sloping upward and outward seven (7) feet horizontally for each foot vertically shall be maintained beginning at the sides of and at the same elevation as precision instrument runway approach surface, and extending to a horizontal distance of five thou-

sand (5,000) feet measured at ninety-degree angles to the extended runway center line.

- (4) *Horizontal zone:* One hundred and fifty (150) feet above the airport elevation or a height of six hundred thirty-six (636) feet above mean sea level.
- (5) *Conical zone:* Slopes upward and outward twenty (20) feet horizontally for each foot vertically beginning at the periphery of the horizontal zone and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) feet above the airport elevation.

Where an area is covered by more than one (1) height limitation, the more restrictive limitation shall prevail.

(Ord. No. 90, § 4(1)-(5), 11-1-82)

Sec. 3-45. Excepted height limitations.

Nothing in this article shall be construed as prohibiting the growth, construction, or maintenance of any tree or structure to a height up to seventy-five (75) feet above the surface of the land.

(Ord. No. 90, § 4(6), 11-1-82)

Sec. 3-46. Use restrictions.

Notwithstanding any other provision of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio commercial between the airport and aircraft, to make it difficult for pilots to distinguish between airport lights and others, to result in glare in the eyes of pilots using the airport, to impair visibility in the vicinity of the airport or otherwise in any way to create a hazard or endanger the landing, takeoff, or maneuvering or aircraft intending to use the airport.

(Ord. No. 90, § 5, 11-1-82)

Sec. 3-47. Nonconforming uses.

(a) *Regulations not retroactive.* The regulations prescribed by this article shall not be construed to require the removal, lower-

ing, or other changes or alteration of any structure or tree not conforming to the regulations as of the effective date of Ordinance No. 90, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of Ordinance No. 90 and is diligently prosecuted.

(b) *Marking and lighting.* Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the appropriate officials to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport hazards. Such markers and lights shall be installed, operated, and maintained at the expense of the county airport commission.

(Ord. No. 90, § 6, 11-1-82)

Sec. 3-48. Permits.

(a) *Future uses.* No material change shall be made in the use of land and no structure or tree shall be erected, altered, planted, or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted. However, a permit for a tree or structure of less than seventy-five (75) feet of vertical height above the ground shall not be required in the horizontal and conical zones or in any approach and transitional zones beyond a horizontal distance of four thousand two hundred (4,200) feet from each end of the runway except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for the respective zone. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particulars to determine whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted.

(b) *Existing uses.* No permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use, structure, or tree to become a greater hazard

to air navigation than it was on the effective date of Ordinance No. 90 or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(c) *Nonconforming uses abandoned or destroyed.* Whenever the appropriate official determines that a nonconforming tree or structure has been abandoned or more than eighty (80) per cent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(d) *Variances.* Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use his property not in accordance with the regulations prescribed in this article, may apply to the board of adjustment for a variance from such regulations. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations would result in practical difficulty or unnecessary hardship and relief granted would not be contrary to the public interest but will do substantial justice and be in accordance with the spirit of this article.

(e) *Hazard marking and lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this article and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to permit the airport commission at its own expense, to install, operate, and maintain thereon such markers and lights as may be necessary to indicate to pilots the presence of an airport hazard.

(Ord. No. 90, § 7, 11-1-82)

Sec. 3-49. Enforcement.

It shall be the duty of the board of adjustments to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the county auditor upon a form furnished by the board. Applications required by this article to be submitted to the auditor shall be promptly considered and

granted or denied. Application for action by the board of adjustment shall be forthwith transmitted by the appropriate official. (Ord. No. 90, § 8, 11-1-82)

Sec. 3-50. Board of adjustment.

(a) There is hereby created a board of adjustment to have and exercise the following powers:

- (1) To hear and decide appeals from any order, requirement, decision, or determination made by the auditor in the enforcement of this article;
- (2) To hear and decide special exceptions to the terms of this article upon which such board of adjustment under such regulations may be required to pass; and
- (3) To hear and decide specific variances.

(b) The board of adjustment shall consist of all the members of the airport commission and shall serve terms coinciding with the members' terms as members of the airport commission.

(c) The board of adjustment shall adopt rules for its governance and in harmony with the provisions of this article. Meetings of the board of adjustment shall be held at the call of the chairman and at such other times as the board of adjustment may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The board of adjustment shall keep minutes of its proceedings showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the county administrator immediately and on due cause shown.

(d) The board of adjustment shall make written findings of facts and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this article.

(e) The concurring vote of a majority of the members of the board of adjustment shall be sufficient to reverse any order, requirement, decide in favor of the applicant on any matter upon which it is required to pass under this article or to effect variation in this article.

(Ord. No. 90, § 9, 11-1-82)

Sec. 3-51. Appeals.

(a) Any person aggrieved, or any taxpayer affected, by any decision of the auditor made in administration of this article may appeal to the board of adjustment.

(b) All appeals hereunder must be taken within ten (10) days of the auditor's written decision, by filing with the auditor a notice of appeal specifying the grounds thereof. The auditor shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

(c) An appeal shall stay all proceedings in furtherance of the action appealed from unless the auditor certifies to the board of adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would, in the auditor's opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to the appropriate officials and on due cause shown.

(d) The board of adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

(e) The board of adjustment may, in conformity with the provisions of this article, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances.

(Ord. No. 90, § 10, 11-1-82)

Sec. 3-52. Judicial review.

Any person aggrieved or any taxpayer affected by any decision of the board of adjustment may appeal to the county court of common pleas.

(Ord. No. 90, § 11, 11-1-82)

Sec. 3-53. Penalties.

Each violation of this article or of any regulation, order, or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than two hundred dollars (\$200.00) or imprisonment for not more than thirty (30) days or both; and each day a violation continues to exist shall constitute a separate offense.

(Ord. No. 90, § 12, 11-1-82)

Sec. 3-54. Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this article and any other regulations applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail.

(Ord. No. 90, § 13, 11-1-82)

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

State of South Carolina

REGULAR SESSION OF 1970

Second Part
of **Fifty-sixth Volume of Statutes at Large**

(The Acts and Joint Resolutions of 1969
Constituted the First Part)

PRINTED UNDER DIRECTION OF
HENRY L. LAKE
CODE COMMISSIONER

~~pired term on the effective date of this act, but all appointments after January 1, 1971, shall be made in a manner to comply with the provisions thereof.~~

~~**SECTION 5. Time effective.**—This act shall take effect upon approval by the Governor.~~

~~Approved the 20th day of February, 1970.~~

(R866, S531)

No. 851

An Act To Amend Act No. 106 Of 1965, As Amended, Relating To The Creation And Powers Of The Lancaster County Airport Commission, So As To Provide That The Commission May Hold Fee Simple Title To Real Property.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Powers.—Item (2) of Section 2 of Act No. 106 of 1965 is amended by striking on line one the words "general authority concerning the" and inserting "the authority to hold fee simple title to". The item when amended shall read as follows :

"(2) It shall have the authority to hold fee simple title to land acquired by the county for airport or aeronautical purposes, shall generally assist the Federal Government and the officials of the county in all matters affecting the airports located in the county and may make such contracts and enter into such agreements as in its opinion are in the best interest of the county."

SECTION 2. Duties.—Section 3 of Act No. 106 of 1965 is amended by adding at the end of line two", and hold fee simple title,". The section when amended shall read as follows :

"Section 3. The Commission is constituted an agency of Lancaster County and shall accept, and hold fee simple title, for and in behalf of the county, by deed, gift or otherwise from the Federal Government or any of its agencies, any and all property of every kind or description the ownership of which by the commission may tend to promote and advance aeronautics in Lancaster County. It may also receive, manage and control any and all property made to or given to Lancaster County for the purpose of inaugurating and establishing an airport in the county."

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of February, 1970.

(RS67, S557)

No. 852

An Act To Amend The Code Of Laws Of South Carolina, 1962, By Adding Section 14-1162.1, So As To Provide That The County Council Of Charleston County Shall Effect Rules And Regulations To Govern The Conduct Of Its Members Transacting Business With The County.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Rules to govern conduct of members.—The 1962 Code is amended by adding the following new section :

“Section 14-1162.1. The County Council of Charleston County shall, by April 1, 1970, put into effect appropriate rules and regulations governing the conduct of the members of its body directly or indirectly transacting any business whatsoever with the county.”

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 20th day of February, 1970.

(R868, S558)

No. 853

An Act To Amend Section 27-74.1, Code Of Laws Of South Carolina, 1962, As Amended, Relating To Clerk Of Court Fees For Charleston County, So As To Further Provide Therefor.

Be it enacted by the General Assembly of the State of South Carolina :

SECTION 1. Clerk of Court fees.—Section 27-74.1 of the 1962 Code, as last amended by Act 781 of 1964, is further amended by striking on line three of item (3) “, one dollar” and inserting “for any other copy of a public record or document, one dollar for the first page and fifty cents for each additional page”. The item when amended shall read :

Acts and Joint Resolutions

OF THE

GENERAL ASSEMBLY

OF THE

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REGULAR SESSION OF 1968

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CODE COMMISSIONER

on the east by U. S. I-26, with a polling place at the Brentwood Elementary School; Wando Woods, consisting of that area lying west and north of the Azalea Road and Waylyn Precincts, west of U. S. I-26, south and southeast of Oak Ridge and Glynn Terrace subdivisions, the Charleston Air Base, and that section of the Atlantic Coast Line Railroad extending easterly from Dorsey Drive to the Ashley River, with a polling place at Coastal Carolina Fair Building; Lambs, consisting of that area lying north and west of Wando Woods Precinct, west of the Southern Railroad, south of the Ashley Phosphate Road and the Dorchester County line and east of the Ashley River, with a polling place at W. P. Goodwin School; St. Andrews Precinct No. 1, consisting of that portion of St. Andrews Parish lying on the west side of the Ashley River, bounded on all sides by the City of Charleston; St. Andrews Precinct No. 2, consisting of that portion of St. Andrews Parish lying southwest of U. S. Highway No. 17 and southeast of Church Creek, with a polling place at or near Oakland Elementary School; St. Andrews Precinct No. 3, consisting of that area lying north of the corporate limits of the City of Charleston, northeast of Highway No. 17 and South of the Savage Road, running from Highway No. 17 and extending through the marsh south of Helena's Point to the Ashley River, with a polling place at or near St. Andrews High School; and St. Andrews Precinct No. 4, consisting of the remaining portion of St. Andrews Parish, with a polling place at or near St. Andrews Junior High School.

A polling place in each precinct for which no polling place is designated shall be designated by the Charleston County Council.

SECTION 2. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1968.

(R1297, S885)

No. 1157

An Act To Amend Act No. 106 Of 1965 Creating The Lancaster County Airport Commission, So As To Provide For Two Additional Members And To Prescribe Their Terms.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Lancaster County Airport Commission.—Section 1 of Act No. 106 of 1965 is amended by striking the word "five" on

line two and inserting the word "seven". The section when amended shall read as follows:

"Section 1. There is hereby created the Lancaster County Airport Commission, which shall be composed of seven members. The members shall be appointed by the Governor upon recommendation of the majority of the legislative delegation, including the Senator. The initial appointments shall be for one, two, three, four and five years, respectively, and thereafter all terms shall be for five years or until their successors have been appointed and qualify. Any vacancy may be filled for the unexpired term. The members shall serve without compensation but shall receive the per diem and mileage prescribed by law for members of boards, commissions and committees, not to exceed the amount provided in the annual county appropriations act."

SECTION 2. Terms of additional members.—The two additional members appointed pursuant to this act shall serve initial terms of four and five years, respectively, and thereafter both terms shall be for five years or until their successors have been appointed and qualify.

SECTION 3. Time effective.—This act shall take effect upon approval by the Governor.

Approved the 8th day of May, 1968.

(R1298, S890)

No. 1158

~~An Act To Provide For The Inland And Brooksville Voting Precincts In Horry County.~~

~~Be it enacted by the General Assembly of the State of South Carolina:~~

~~**SECTION 1. Horry County—additional voting precincts.**—In addition to the voting precincts provided for in Section 23-179, Code of Laws of South Carolina, 1962, there is created in Horry County the Inland Voting Precinct and the Brooksville Voting Precinct.~~

~~**SECTION 2. Time effective.**—This act shall take effect upon approval by the Governor.~~

~~Approved the 8th day of May, 1968.~~

MEMORANDUM

TO: Cheryl Morgan, County Auditor
Michael J. O'Donnell, Director – Director, SC Aeronautics Commission
Paul Werts, Team Leader, SC Aeronautics Commission
Doug Barnes, Chairman – County Airport Commission
Gary Laubscher, FBO – Lancaster County Airport

FROM: Steve Willis, County Administrator *SW*

DATE: May 29, 2007

SUBJECT: Tax Rate on Aircraft

Attached is a copy of Ordinance #820, which lowers the tax rate on aircraft in Lancaster County from 10½% to 4%, the same tax rate as in Chester County, Kershaw County, and York County. I wanted to make sure that you had a copy for your records.

SW
attachment

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE #820

AN ORDINANCE AMENDING THE ASSESSMENT RATIO APPLICABLE IN DETERMINING THE ASSESSED VALUE OF GENERAL AVIATION AIRCRAFT SUBJECT TO PROPERTY TAX IN LANCASTER COUNTY

WHEREAS, SECTION 12-43-360 of the South Carolina Code of Laws provides authority for County Council to amend the assessment ratio applicable in determining the assessed value of general aviation aircraft subject to property tax in the county.

WHEREAS, County Council desires to reduce the assessment ratio on general aviation aircraft to four percent (4%), as allowed under §12-43-360.

NOW, THEREFORE BE IT ORDAINED by the Lancaster County Council that the assessment ratio applicable in determining the assessed value of general aviation aircraft subject to property tax in Lancaster County shall be four percent (4%).

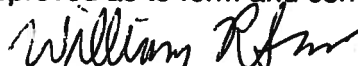
AND IT IS SO ORDAINED this 21st day of May, 2007.

LANCASTER COUNTY COUNCIL


Rudy L. Carter, Chairman


Wesley Grier, Secretary

Approved as to form and content:



William R. Sims, County Attorney

ATTEST:



Irene Plyler, Clerk to Council

1ST reading: 4/30/2007
2nd reading: 5/07/2007
3rd reading: 5/21/2007