



ORDINANCE NUMBER 40-2012

AN ORDINANCE AUTHORIZING THE CITY OF GREER, SOUTH CAROLINA TO ESTABLISH A FUND FOR THE OPERATION, MAINTENANCE AND IMPROVEMENT OF THE HWY 101 CORRIDOR LOCATED IN THE CITY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, one of the gateways into the City of Greer, South Carolina (the "*City*") consisting of the roadway between the intersection of Hwy 101 and I-85 and the intersection of Hwy 101 and Brookshire Road (the "*Hwy 101 Corridor*") is in need of improvements, maintenance and repair to the medians, rights-of-way and streetscapes; and

WHEREAS, the City desires to establish a fund (the "*Hwy 101 Corridor Fund*") to be held, used and maintained by the City in order to make the necessary improvements as well as maintain the publicly-owned areas encompassing the Hwy 101 Corridor; and

WHEREAS, the City has undertaken discussions with businesses and property owners in the Hwy 101 Corridor to determine such businesses' and property owners' desire to contribute to the Hwy 101 Corridor Fund in order to enhance the appearance of the Hwy 101 Corridor; and

WHEREAS, the Hwy 101 Corridor Fund will be initially funded from monies in the City's Brookshire Road TIF Debt Service Fund as well as monies contributed by the various businesses and property owners in the Hwy 101 Corridor;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREER, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Creation of the Hwy 101 Corridor Fund. The City hereby creates the Hwy 101 Corridor Fund to be controlled, maintained, and used by the City. The Hwy 101 Corridor Fund will be a separate fund from all other funds of the City and will be used by the City to make improvements to the Hwy 101 Corridor as well as to operate and maintain the improvements.

Section 2. Funding of the Hwy 101 Corridor Fund. The City hereby directs that \$425,115.41 plus any additional accrued interest be transferred from the City's Brookshire Road TIF Debt Service Fund to the Hwy 101 Corridor Fund in order to provide initial monies for the projects contemplated for the Hwy 101 Corridor. After the initial transfer, this Fund will be funded from monies received from businesses and property owners in the Hwy 101 Corridor or from other parties interested in the Hwy 101 Corridor.

Section 3. Authorization. The Mayor, the City Administrator, the Director of Finance and Information Technology and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the acts authorized by this Ordinance in accordance with the conditions herein set forth.

Section 4. Severability. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 5. Repeal of Conflicting Ordinance. All ordinances, orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

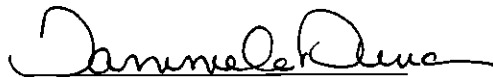
DONE in meeting duly assembled this 27th day of November, 2012.

CITY OF GREER, SOUTH CAROLINA



Richard W. Danner, Mayor

ATTEST:



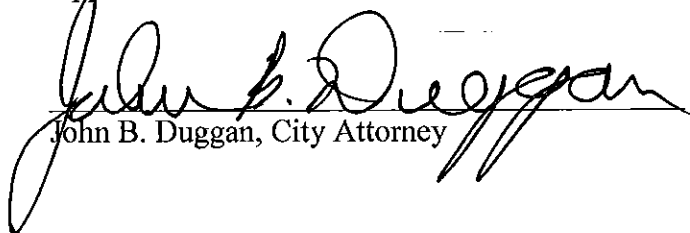
Tammela Duncan, Municipal Clerk

Introduced by: Councilman Wryley Bettis

First reading: November 13, 2012

Second Reading
and Final Approval: November 27, 2012

Approved as to Form:



John B. Duggan, City Attorney

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

CERTIFIED COPY OF ORDINANCE

I, the undersigned, City Clerk of the City of Greer, South Carolina, **DO HEREBY CERTIFY:**

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance which was given two readings on two separate days, with an interval of at least six days between the readings. The original of this Ordinance is duly entered in the permanent records of minutes of meetings of the City Council in my custody as such City Clerk.

That each of said meetings was duly called and all members of the City Council were notified of the same; that a quorum of the membership remained throughout the proceedings incident to the enactment of this Ordinance.

IN WITNESS WHEREOF, I have hereunto set my Hand this 27th day of November, 2012.



Tammela Duncan, Municipal Clerk
City of Greer, South Carolina

First reading: November 13, 2012
Second reading: November 27, 2012