

ORDINANCE NO. 2023-35

**AN ORDINANCE TO CREATE AND PROVIDE FOR THE ADMINISTRATION OF A “ROUND UP PROGRAM” FOR WATER AND SEWER SERVICE CUSTOMERS BOTH INSIDE AND OUTSIDE OF THE CITY LIMITS OF FLORENCE, SOUTH CAROLINA; TO AUTHORIZE THE “COINS THAT ADD RELIEF AND ENABLE” (CARE) PROGRAM; TO AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO NEGOTIATE AN AGREEMENT BETWEEN CITY OF FLORENCE, SOUTH CAROLINA AND A THIRD PARTY NOT-FOR-PROFIT AGENCY TO PARTICIPATE IN THE PROVIDING FOR AND FOR THE ADMINISTRATION OF THE CARE PROGRAM; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the Council has determined that there exists within the City’s Water and Sewer System (the “**System**”) customers who, due to their economic condition, on occasion are unable to pay the monthly cost of water and sewer services; and

**WHEREAS**, the Council has determined that it may be detrimental to public health and economically disruptive for individuals to be without water and sewer service, and in order to provide relief to those who are occasionally unable to pay the monthly cost of water and sewer service, the Council wishes to create the “Coins that Add Relief and Enable” (CARE) Program (the “**Program**”) in order to provide a means to permit those customers of the System who are willing to give a small amount on a monthly basis for such purposes by “rounding up” their monthly utility charges and to permit a not-for-profit corporation to administer a program to use the funds so raised and to provide assistance to individuals that are in need of such relief; and

**WHEREAS** the Council hereby finds that such a program will help alleviate the negative effects discussed above and will therefore benefit the health, safety, and general welfare of the customers of the System.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and City Council of the City of Florence, South Carolina that the following sections or noted subsections of said sections of the City of Florence Code of Ordinances be revised and hereby amended to read as stated below. Existing subsections not specifically identified in the sections below shall remain unchanged as written.

**Section 1. Sec. 12.4.2 - The Coins that Add Relief and Enable (CARE) Program**

- (a) In order to fund the Coins that Add Relief and Enable (CARE) Program (the “**Program**”), the following sections apply:
  - (1) The total monthly bill for participating utility customers of the City in each customer classification located either inside or outside of the City, shall be determined by calculating the amount of each such customer’s bill based upon the Schedule of Rates, and other fees and/or charges applied (the “**Original Monthly Bill**”), as it may be amended from time to time, and then by rounding such amount up to the next whole dollar amount (the “**Rounded Monthly Bill**”). This provision shall apply to all existing and new customers of the System unless any such customer shall opt-out of this provision pursuant to subsection (2) of this Section.

## Roundup Ordinance (continued)

- (2) Any customer of the System may, at any time, opt out of the requirements of subsection (1) of this Section by providing written notification to the City's Utility Finance Division. Any customer that chooses to opt out in such a manner may thereafter choose to opt into the requirements of subsection (1) of this Section by providing written notification to the City's Utility Finance Division. Any customer who fails to opt out of the Program is considered to have consented to the customer's participation therein.
  - (3) The amount calculated as the difference between the amount of each customer's Original Monthly Bill and the Rounded Monthly Bill shall be transferred to a separate account within the Water and Sewer Enterprise Fund to be designated as the "CARE" account (the "**Program Account**"). Amounts accumulated in the Program Account are to be used solely for the purpose of aiding those customers of the System who are unable to pay the monthly cost of water and sewer service in the manner determined by the Council.
- (b) Each customer of the System shall be notified of the opt out provision of the Program, provided for in Section 1, by the means of a letter that is to be distributed to each existing customer in the monthly bill for water and sewer service preceding the first month that the provisions of Section 1 is effective. In addition, the flyer, or a flyer providing substantially the similar information, shall be provided to all new customers at such time as the customer requests service.
- (c) Administration of the Program
- (1) The Program is to be administered by a qualified third-party not-for-profit agency (the "Agency"). On a monthly basis, or at such time as the Chief Financial Officer, or designee, determines to be most efficient, funds held in the Program Account shall be transferred to the Agency. The Agency shall hold all such funds received from the City in a separate fund to be segregated from the general operating funds of the agency.
  - (2) The Agency shall at all times administer the Program in accordance with the CARE Program Guidelines (the "**Guidelines**"). In addition, the City shall enter into an agreement with the Agency for the ongoing administration of the Program. The City Manager, or designee, shall select and negotiate terms with the Agency.
- (d) Authorizations

The City Manager for the City, and other City staff, are hereby authorized to do all things necessary to implement the Program in accordance with the provisions of this Ordinance.

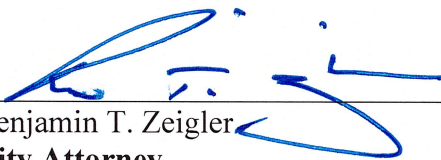
**Section 2.** That all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

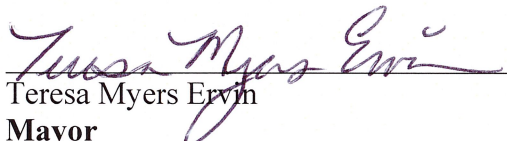
**Roundup Ordinance (continued)**

This Ordinance shall become effective six months following its approval and adoption by the City Council of the City of Florence.

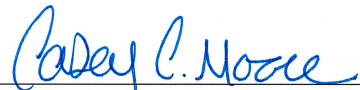
ADOPTED THIS 13<sup>th</sup> DAY OF November, 2023.

**Approved as to form:**

  
\_\_\_\_\_  
Benjamin T. Zeigler  
City Attorney

  
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Teresa Myers Ervin  
Mayor

**Attest:**

  
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Casey C. Moore  
Municipal Clerk