

FY 2023- 2024 BUDGET ORDINANCE

AN ORDINANCE TO ADOPT A BUDGET FOR THE CITY OF FOUNTAIN INN FOR THE FISCAL YEAR BEGINNING JULY 1, 2023, AND ENDING JUNE 30, 2024 (FY 2023-2024) ACCORDING TO THE TERMS AND PROVISIONS AS CONTAINED THEREIN; AND VARIOUS MATTERS RELATED THERETO

WHEREAS, pursuant to S.C. Code Ann. §5-9-40 the City Council shall adopt an annual budget for the operation of the City and capital improvements for Fiscal Year July 1, 2023 – June 30, 2024; and,

WHEREAS, Council has carefully studied and examined the financial needs for operations for the coming fiscal year after discussions with the City department heads and the City Administrator; and,

WHEREAS, having considered the budget requests for the coming fiscal year and having determined that it is in the best interests of the taxpayers of the City to adopt a comprehensive budget; and,

WHEREAS, the annual budget shall be based upon estimated revenues and shall provide appropriations for City operations and debt service for all departments; and

WHEREAS, pursuant to S.C. Code Ann. §6-1-80 the City has provided notice to the public by advertising the public hearing before the adoption of the budget for the next fiscal year in a newspaper of general circulation in the area, given not less than fifteen days in advance of the public hearing in the form as prescribed by law; and,

WHEREAS, after a public hearing and receiving public comment the City Council finds that the attached FY July 1, 2023 – June 30, 2024 budget should be adopted;

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

Section 1: Adoption of Budget:

- 1.1 That the budget document entitled: “CITY OF FOUNTAIN INN: BUDGET FOR FISCAL YEAR JULY 1, 2023 – JUNE 30, 2024” is hereby ADOPTED and incorporated herein by reference, *Exhibit A*.

1.2 The millage rate for FY 2023-2024 is as follows:

OPERATING MILLAGE

	FYE 2023	Increase ¹	Total FYE 2024
Operating Base Millage	<u>57.1</u>	<u>0.00</u>	<u>57.1</u>
Reserve Account Millage*	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
Lease Purchase Millage**	<u> </u>	<u> </u>	<u> </u>
Debt Millage	<u>11.6</u>	<u>0.0</u>	<u>11.6</u>
Total	<u>68.7</u>	<u>0.00</u>	<u>68.7</u>

*Millage levied pursuant to Sec. 6-1-320(D) to “maintain a reserve account.”

**Millage levied pursuant to Sec. 6-1-320(D) for “real property purchased using a lease-purchase agreement”

¹Millage increases for 2024 are limited to the millage cap established by SC Code Sec. 6-1-320.

SURCHARGE MILLAGE

	FYE 2023	FYE 2024
Surcharge Millage	<u>0.00</u>	<u>0.00</u>

Statutory Reasons under Section 6-1-320(B) for surcharge: (check one)

- (1) deficiency of the preceding year
- (2) catastrophic event (natural disaster, act of God, etc.)
- (3) compliance with a court order or decree
- (4) taxpayer closure (decreases by 10% or more prior year revenue)
- (5) compliance with a federal or state unfunded regulation or statute

1.3 The County Auditors of Greenville County and Laurens County shall levy an ad valorem tax on all taxable property owned and used in the City of Fountain Inn, South Carolina, except such as may be exempt from taxation under the Constitution and laws of the state of South Carolina. The tax shall be collected and paid into the treasury of Greenville County and Laurens County for credit to the City of Fountain Inn.

1.4 All revenues provided for by law shall be collected and placed in ordinary City funds to supplement and provide sufficient funds for all ordinary City purposes. No public funds of the City of Fountain Inn shall be deposited unless the bank or depository shall pledge to the City Administrator a security equal in value to the funds deposited, after Federal Deposit Insurance Corporation guarantees have been considered. The security shall

consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina or such other security as shall be approved in writing by a majority of the City Council.

- 1.5 Funds appropriated herein are to be expended only in compliance with policies adopted by City Council or, at City Council's direction, as formulated and implemented by the City Administrator, either existing or adopted.

- 1.5.1 Where existing Statutes, Ordinances, Contracts and Covenants govern the use of the funds accordingly to legislatively or contractually determine formulae, the estimates in this ordinance referenced in Exhibit A are illustrative rather than controlling an appropriation of those funds will adjust according to applicable provisions of such Statutes, Ordinances, Contracts and Covenants. Governmental fund appropriations designated from previous appropriation ordinances for Capital Projects shall remain in force for the life of the project are account for in the General Capital Project Fund. Any net fund balance accumulation shall not lapse on June 30, 2024.

- 1.5.2 Appropriations for capital expenditure or investment or bond issuance costs or for the payment of annual installments of capitalized interest according to a predetermined schedule are made in relate Bond Ordinances. Nothing in this ordinance shall modify or amend the terms of any Bond Ordinance.

- 1.6 City Council reserves the right to amend and alter any appropriation contained herein.

- 1.7 The annual budget documents and the estimates of revenue for the payment of same is hereby adopted and is made a part of this Ordinance as fully as if incorporated herein.

- 1.8 Funds sufficient to cover all fiscal year ending June 30, 2024 budget items encumbered but unpaid at the close of fiscal year ending June 30, 2024 shall be carried forward from the fiscal year ending June 30, 2025 budget to the succeeding budget to meet such lawful obligations of the City of Fountain Inn. All non-Federal funds not expended during the Fiscal Year shall accrue to the City's General Fund for re-allocation during subsequent Fiscal Years. Federal funds which are earmarked shall be carried forward in accordance with Federal mandates. Where no mandate exists, the funds shall be transferred to the City's General Fund for re-appropriation. Appropriations under any budget for grants, the authorization for which extends beyond the

end of the then-current fiscal year shall not lapse at the end of such fiscal year. Any grant authorizations remaining at the end of such fiscal year shall be re-appropriated pursuant to the conditions of the respective grant agreements.

- 1.9 All sums received by the City of Fountain Inn from any source whatsoever, unless by law designated for some special fund or purpose, may be used in meeting disbursements from the General Fund as described in the Budget Document identified in Section 1.1 above
- 1.10 The purchase of supplies and repairs must be in accordance with provisions of the City's Procurement Ordinance; however, the City Administrator is authorized to purchase used vehicles and equipment from scheduled surplus equipment sales sponsored by City, County, State and Federal governmental agencies, outside of the Procurement Ordinance and procedures of the City of Fountain Inn.
- 1.11 Expenditure of funds from the General Fund and other City funds, as outlined in the General Fund budget or other budget as approved by City Council, is hereby approved by the City Council and the City Administrator is authorized to expend funds in accordance therewith.
- 1.12 The City Administrator of the City, or the designee of the City Administrator, is authorized to transfer any sum from one budget line item to another or from one department or division to another as is necessary to achieve the goals of the FYE 2024 Budget, provided that no such transfer shall be made from one fund to another fund so as to increase the total appropriated amount within any such fund. No such transfer shall be made that conflicts with any existing Bond ordinance or any financial policies of the City as adopted by the Council. Any changes or amendments to the FYE 2024 Budget that alter the total appropriated amount within any fund must be approved by the Council.
- 1.13 The schedules setting forth various fees, user charges, penalties and other charges of the City, as set forth in *Exhibit B* or in the Code of Ordinances of the City of Fountain Inn, are hereby affirmed and incorporated herein by reference.
- 1.14 Fees collected by all offices shall be remitted to the Finance Director for deposit for their respective City purposes in accordance with the City Cash Handling Policy.

Section 2. Authorization. The City Administrator, 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 changes authorized by this Ordinance in accordance with the conditions herein set forth.

Section 3. 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 4. 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.

Section 5. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The CITY COUNCIL hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. The CITY CLERK is hereby ordered and directed to cause this ordinance to be published according to law.

Section 7. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and adoption as set forth herein.

DONE IN REGULAR SESSION THIS 8th DAY of June 2023.

SIGNATURE OF MAYOR:

George Patrick McLeer, Jr

ATTEST:

Elizabeth M. Adams
City Clerk

APPROVED AS TO FORM:

King Kozlarek Law LLC
City Attorney

FIRST READING: May 23, 2023
SECOND READING: June 8, 2023