

(1) In the event an individual does not pay the road maintenance fee at the time the personal property taxes are paid on the vehicle, a penalty of five (\$5.00) dollars for each day the road maintenance fee is unpaid shall be levied against such individual. Each day which a violation occurs is deemed a separate and distinct offense.

(2) The penalty shall apply to each vehicle fee that is unpaid.

(3) An individual may pay the road maintenance fee under protest and shall follow the same procedures required for payment of personal property tax under protest.

(4) If the road maintenance fee and penalties are not paid after the expiration of sixty (60) days from the date the individual paid the personal property taxes on the vehicle, the fees and penalties shall be enforced by judgment and attachment or by other means permissible under the general law. Nothing in this section shall be construed as a limit on the time for the bringing of an action to collect such fees and penalties. In addition to the penalties provided herein, the county may recover reasonable attorney's fees and other expense of litigation or collection.

(c) Exemption.

(1) When an individual owns a vehicle which is not operated or non-operational and such individual certifies this fact to the county auditor, therein certifying that the vehicle in question is not being operated on the roads of South Carolina, such individual shall be exempt from paying the road maintenance fee for that vehicle. Disabled veterans, disabled individuals, or organizations, as certified to the county auditor by the South Carolina Department of Revenue, pursuant to the following provisions of Section 12-37-220 of the South Carolina Code of Laws as amended, shall be exempt from paying the fee on two (2) vehicles registered in their name and a fifteen-dollar fee will be levied on all subsequent vehicles registered by the individual receiving the exemption:

a. Two (2) private passenger vehicles owned or leased by any disabled veteran designated by the veteran for which special license tags have been issued by the Department of Motor Vehicles, or its successor agency, under the provisions of Section 56-3-1110 to 56-3-1130 or, in lieu of the license, if the veteran has a certificate signed by county service officer or the Veterans Administration of the total and permanent disability which must be filed with the Department of Motor Vehicles, or its successor agency.

b. Two (2) private passenger vehicles owned or leased by recipients of the Medal of Honor.

c. Two (2) personal motor vehicles, owned or leased either solely or jointly by persons required to use wheelchairs, who qualify for special license tags under the provisions of Section 56-3-1910.

d. Two (2) private passenger vehicles or trucks, not exceeding three-quarter (¾) ton, owned or leased by and licensed and registered in the name of any member or former member of the armed forces who was a prisoner of war (POW) in World War I, World War II, the Korean Conflict, or the Vietnam Conflict and who is a legal resident of this state. This exemption also extends to the surviving spouse of a qualified former POW for the lifetime or until the remarriage of the surviving spouse.

e. One (1) personal motor vehicle owned or leased by a legal guardian of a minor who is blind or required to use a wheelchair when the vehicle is used to transport the minor.

(2) All non-profit and government vehicles shall be exempted from paying the road maintenance fee.

(3) The road maintenance fee shall be paid the same day any exempted there from vehicle is licensed for operation and any person not paying such fee shall be subject to the penalties set forth in this section. The first day of the month displayed on the license tag for a vehicle placed back in operation shall be deemed to be the first day of operation for the purpose of imposing any penalty. Individuals shall not be subject to fees or penalties for the years the vehicle was not licensed for operation and was exempt pursuant to this subsection. The exemption shall not be applied retroactively.

(4) Personal property taxes on parked or non-operational vehicles are still due and payable each year and are not in any way exempted, excused or abated by this subsection.

(Ord. No. 162, 6-27-88; Ord. No. 166, 11-7-88; Ord. No. 219, § 2, 6-24-93; Ord. No. 236, § 2, 6-27-94; Ord. No. 296, § 2, 6-27-97; Ord. No. 310, § 2, 6-8-98; Ord. No. 337, § 2, 6-7-99; Ord. No. 384, § 3, 6-12-00; Ord. No. 424, 3-26-01; Ord. No. 846, 9-10-07; Ord. No. 1105, § 2, 7-25-11)

Section 2. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 3. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained in the Lancaster County Code or other County ordinances, orders and resolutions, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

Section 4. Effective Date.

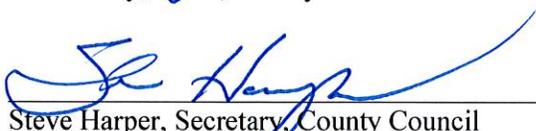
This ordinance is effective upon third reading.

AND IT IS SO ORDAINED, this 9th day of February, 2015.

LANCASTER COUNTY, SOUTH CAROLINA



Bob Bundy, Chair, County Council



Steve Harper, Secretary, County Council

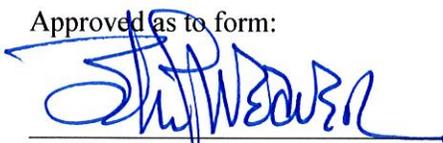
ATTEST:



Debbie C. Hardin, Clerk to Council

First Reading: January 12, 2015
Second Reading: January 26, 2015
Third Reading: February 9, 2015

Approved as to form:



John Weaver, County Attorney