

(R1212, H2801)

No. 1727

**An Act To Create The Lady's Island-St. Helena Island Fire District In Beaufort County; To Provide For A Board Of Fire Control For The District; To Prescribe The Powers, Duties And Membership Of The Board; To Provide For Tax Levies; And To Provide Penalties For Certain Violations.**

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

**SECTION 1. Fire District created.**—There is hereby created the Lady's Island-St. Helena Island Fire District in Beaufort County, which shall include the entire area of the islands.

**SECTION 2. Board of Fire Control.**—There is hereby established a board of fire control for the district, composed of five members appointed by the Governor upon the recommendation of a majority of the Beaufort County Council. Terms of office shall be for four years and until successors are appointed and qualify. Two of the members shall be residents of Lady's Island, two of the members shall be residents of St. Helena Island and one member shall be appointed from the district at large. *Provided*, however, that of those first appointed one member shall be a resident of Lady's Island and one member shall be a resident of St. Helena Island and shall serve for four years; one member shall be a resident of Lady's Island and one member shall be a resident of St. Helena Island and shall serve for three years; and the member appointed at large shall serve for two years. The members of the board shall serve without pay and shall file annually a report with the legislative delegation and the Beaufort County Council, not later than the first of November of each year, showing all activities and disbursements made by the board during the year.

**SECTION 3. Powers and duties.**—The board shall have the following duties and responsibilities:

(a) To buy such fire-fighting equipment as the board deems necessary for the purpose of controlling fires within the money allocated or made available to the board for such purposes.

(b) To select and procure the sites or places within the area where the fire-fighting equipment shall be kept.

(c) To provide and select, in coordination with the fire chief, the drivers and other volunteer firemen to man such equipment who shall serve without compensation.

(d) To procure and supervise, in coordination with the fire chief, the training of the volunteer firemen selected to insure that the equipment shall be utilized for the best interests of the area.

(e) To be responsible for the upkeep, maintenance and repairs of the trucks and other fire-fighting equipment and to that end shall, as often as is deemed necessary, inspect such equipment.

(f) To promulgate such rules and regulations as it may deem proper and necessary to insure that the equipment is being used to the best advantage of the area.

(g) To construct, if necessary, buildings to house the equipment authorized herein.

(h) To borrow money on such terms and for such a period as to the fire control board may seem most beneficial for the fire district in anticipation of taxes. The indebtedness shall be evidenced by a note issued by the members of the board and the county treasurer. The full faith and taxing power of the fire district is hereby irrevocably pledged for the payment of the indebtedness.

**SECTION 4. Tax levy.**—The Auditor and Treasurer of Beaufort County are hereby directed to levy and collect a tax of not more than five mills, to be determined by the board of fire control, upon all taxable property of the district for the purpose of defraying the expenses incurred by the board. All monies collected from this levy shall be credited to the fire district.

**SECTION 5. Supervision of equipment.**—The fire chief or equivalent official of the truck company to which the equipment is assigned shall have complete supervision over its use and operation and it shall be his responsibility to insure that the equipment is readily available for use at all times.

**SECTION 6. Members to enforce fire laws.**—All members of the truck company of the district may direct and control traffic at the scene of any fire in the area of the district and enforce the laws of this State relating to the following of fire apparatus, the crossing of fire hose and interfering with firemen in the discharge of their duties in connection with a fire in a like manner as provided for the enforcement of such laws by peace officers.

**SECTION 7. Unlawful acts.**—It is unlawful to interfere with a member of a fire department in the discharge of his duties in the district or to interfere with any fire apparatus used by the fire de-

partment in the district, and any person so offending shall be subject to a fine of not exceeding one hundred dollars or imprisonment for not exceeding thirty days.

**SECTION 8. Time effective.**—This act shall take effect upon approval by the Governor.

Approved the 31st day of March, 1972.