RESOLUTION 2026-07

Adoption of Disaster Relief Policy

A RESOLUTION APPROVING A DISASTER RELIEF POLICY OF OCONEE JOINT REGIONAL SEWER AUTHORITY, SOUTH CAROLINA; APPROPRIATING FUNDS FOR DISASTER RELIEF; AND OTHER MATTERS RELATED THERETO.

NOW, THEREFORE, BE IT RESOLVED by the Oconee Joint Regional Sewer Authority Commission (the "Commission"), as the governing body of the Oconee Joint Regional Sewer Authority, South Carolina ("OJRSA") in a meeting duly assembled as follows:

Section 1 Findings. The Commission hereby makes the following findings of fact in connection with the adoption of this resolution (this "Resolution"):

A. OJRSA was established pursuant to Title 6, Chapter 25 of the Code of Laws of South Carolina 1976, as amended (the "Act") by its three member-municipalities: the City of Seneca, the City of Walhalla, and the City of Westminster under the terms of an Intergovernmental Agreement dated October 31, 2007 (the "Agreement").

B. Pursuant to the Act and the Agreement, the Commission is tasked with the governance of the joint regional sewer system (the "System") owned and operated by OJRSA, including the establishment of the rates, fees, and charges for sewer service, the adoption of policies governing the System, and the appropriation of OJRSA funds.

C. Fires, floods, severe storms, tornadoes, and other disasters may destroy or render unusable the premises of customers of the System, requiring those customers to rehabilitate or reconstruct their premises or to relocate to other premises served by the System. In doing so, affected customers may incur impact, plan review, inspection, permit, connection, and other fees and charges imposed by OJRSA under its Schedule of Fees at a time when they have suffered substantial loss.

D. Assisting customers to restore or reestablish sewer service following a disaster serves a public purpose of OJRSA. It preserves the customer base and revenues of the System, encourages the prompt and orderly reconnection of affected premises in compliance with OJRSA requirements, and supports the economic welfare of the communities served by the System. Any benefit to an individual customer is incidental to that public purpose.

E. The Commission has determined that it is in the best interest of OJRSA to adopt a formal Disaster Relief Policy (the "Policy"). The Policy establishes uniform eligibility criteria, application requirements, and limits for disaster relief available throughout the service area of the System. Under the Policy, each award is subject to a written request by the affected customer, the availability of funds appropriated by the Commission, and approval by the Commission.

Section 2 Approval. In accordance with the findings above, the Commission hereby approves the Policy. A copy of the Policy is attached hereto as Exhibit A and incorporated herein by reference.

Section 3 Appropriation. There is hereby appropriated the sum of $10,000 from OJRSA's O&M contingency funds (within Wholesale O&M Fund), as previously authorized in the fiscal year 2026-27 budget to the Disaster Relief Fund

established under the Policy, to be expended solely in accordance with the Policy. Any portion of this appropriation not awarded by the end of Fiscal Year 2026–2027 shall carry forward to the following fiscal year unless otherwise directed by the Commission.

Section 4 Walhalla Fire. At its meeting held on October 5, 2026, the Commission considered a request by the City of Walhalla that OJRSA waive certain fees for businesses that were displaced by a fire in downtown Walhalla during the second week of September 2026 (the "Walhalla Fire"). The Commission hereby determines that the Walhalla Fire is a Qualifying Disaster under the Policy. Customers affected by the Walhalla Fire may submit Relief Requests in accordance with the Policy. For those customers, the period for submitting Relief Requests under the Policy shall begin on the effective date of this Resolution.

Section 5 Effective Date. The Policy shall become effective immediately upon the approval of this Resolution. Any prior resolutions, policies, procedures, or other directives that conflict or are inconsistent with this Resolution or the Policy are hereby repealed to the extent of the conflict or inconsistency. If any conflicting or inconsistent provision is not severable from the document in which it appears, such document shall be deemed repealed only to the extent necessary to give full force and effect to this Resolution and the Policy.

DONE AND ADOPTED by the Oconee Joint Regional Sewer Authority Commission, Seneca, South Carolina on this 2nd day of November 2026.

[SEAL]

Kevin Bronson, Chair
OJRSA Board of Commissioners

Attest:

Lynn Stephens, Secretary/Treasurer
OJRSA Board of Commissioners -and-
OJRSA Finance & Administration Manager

Exhibit A

DISASTER RELIEF POLICY

Section 1. Purpose. The purpose of this Disaster Relief Policy (this "Policy") is to establish a uniform and consistent method by which the Oconee Joint Regional Sewer Authority Commission (the "Commission"), as the governing body of the Oconee Joint Regional Sewer Authority, South Carolina ("OJRSA"), may appropriate funds and make awards to mitigate sewer-related costs incurred by customers of the System (as defined below) to rehabilitate, reconstruct, or relocate two or more Premises (as defined below) damaged or destroyed by a Qualifying Disaster (as defined below). This Policy does not waive, reduce, or exempt any customer from any rate, fee, or charge established by OJRSA under its Schedule of Fees effective July 1, 2026, as may be amended from time to time (the "Schedule of Fees"). All rates, fees, and charges shall continue to be assessed in accordance with the Schedule of Fees. Any relief awarded under this Policy shall be paid from funds appropriated by the Commission for that purpose and applied on the Affected Customer's (as defined below) behalf.

Section 2. Definitions. As used in this Policy:

A. "Affected Customer" means a person or entity whose, at the time of a Qualifying Disaster, Premises is connected to the System, whether served directly by OJRSA in the Retail Service Area or by a Retail Service Provider in the Wholesale Service Area, and whose facilities were destroyed or damaged by the Qualifying Disaster to the extent that they could not lawfully be occupied or used for their prior purpose.

B. "Eligible Costs" means the following fees and charges imposed by OJRSA under the Schedule of Fees, to the extent actually assessed and payable by or on behalf of an Affected Customer as a direct result of a Qualifying Disaster in connection with (1) the rehabilitation or reconstruction of the damaged Premises or (2) the relocation of the Affected Customer to other Premises already served by the System: impact fees; capacity fees; plan review fees; inspection fees; permit fees; tap and connection fees; and such other OJRSA fees and charges as the Commission may approve. Eligible Costs do not include (a) monthly sewer service charges; (b) penalties, late charges, or interest; (c) fees or charges imposed by a Retail Sewer Provider, water provider, or other governmental entity; (d) costs of construction, plumbing, engineering, or other work performed by private contractors; or (e) any fee or portion of a fee that is otherwise waived or credited by OJRSA.

C. "Executive Director" means the Executive Director of OJRSA.

D. "Member City" means the City of Seneca, the City of Walhalla, or the City of Westminster, as applicable.

E. "Premises" means a facility owned or occupied by an Affected Customer.

F. "Qualifying Disaster" means a fire, flood, hurricane, tornado, severe storm, earthquake, explosion, or other natural or man-made catastrophic event affecting two or more Premises that either (1) is the subject of a declaration of emergency or disaster by the President of the United States, the Governor of South Carolina, the Oconee County Council, or the governing body of a Retail Service Provider; or (2) is determined by the Commission, upon findings stated in its minutes, to have caused damage of a severity comparable to an event described in the foregoing subsection 1.

G. "Relief Award" means an amount approved by the Commission under this Policy to be paid or credited against an Affected Customer's Eligible Costs.

H. "Retail Service Area" has the meaning assigned in the Schedule of Fees.

I. "Retail Service Provider" means each Member City and the Town of West Union and is provided with wastewater treatment by OJRSA in a wholesale capacity.

J. "System" means the joint regional sewer system owned and operated by OJRSA.

K. "Wholesale Service Area" has the meaning assigned in the Schedule of Fees.

Section 3. Disaster Relief Fund; Appropriations.

A. Relief Awards may be made only from funds appropriated by the Commission to a designated account or budget line item (the "Disaster Relief Fund"). The Commission may appropriate a set amount to the Disaster Relief Fund annually, in response to a particular Qualifying Disaster, or both. No Relief Award shall exceed the unexpended and unencumbered balance of the Disaster Relief Fund at the time of approval.

B. Unless the Commission establishes a different limit when making an appropriation, the total Relief Awards to any one Affected Customer for any one Qualifying Disaster shall not exceed five thousand dollars ($5,000).

C. If timely Relief Requests arising from the same Qualifying Disaster exceed the available balance of the Disaster Relief Fund and no other funding has been made available by the Commission, OJRSA shall allocate the available balance among the approved Relief Requests in the order in which complete Relief Requests were received.

D. Nothing in this Policy obligates the Commission to appropriate funds or to approve any Relief Request, and no customer shall have any entitlement to a Relief Award.

Section 4. Relief Requests.

A. An Affected Customer seeking a Relief Award shall submit a written request to OJRSA (a "Relief Request") within one hundred eighty (180) days after the later of the occurrence of the Qualifying Disaster or the date of the declaration or Commission determination under the definition of Qualifying Disaster, unless the Commission, in its sole discretion, elects to extend the Relief Request period.

B. Each Relief Request shall include: (1) the name, mailing address, telephone number, email address, and OJRSA or Retail Service Provider account number of the Affected Customer; (2) the address and county tax map number of the damaged Premises and, if the Affected Customer is relocating, the address of the new Premises; (3) a description of the Qualifying Disaster and the resulting damage, with supporting documentation such as photographs, fire or incident reports, insurance claim documents, or a copy of the applicable declaration; (4) a description of the proposed rehabilitation, reconstruction, or relocation, including the prior and intended use of the Premises; (5) an itemization of the Eligible Costs for which relief is requested, with copies of any OJRSA invoices or estimates; (6) a statement of all insurance proceeds and all federal, state, local, or other assistance received or applied for with respect to the Eligible Costs; and (7) a signed certification that the information provided is true and complete and that the Affected Customer agrees to the conditions in Section 8.

C. A Retail Service Provider may submit a Relief Request on behalf of one or more Affected Customers, provided that the request identifies each Affected Customer, includes the information required by Section 4(B) for each, and is accompanied by the written certification of each Affected Customer.

Section 5. Review and Approval.

A. OJRSA staff shall review each Relief Request for completeness and, within thirty (30) calendar days after receipt, notify the requester in writing of any missing information. Upon receipt of a complete Relief Request, the Executive Director shall present it to the Commission at the next regular meeting for which inclusion on the agenda is practicable. The presentation shall include a staff recommendation addressing the Eligible Costs verified by staff, any applicable reductions, any duplication of benefits, and the available balance of the Disaster Relief Fund.

B. The Commission shall approve, approve in part, or deny each Relief Request. The Commission shall apply the criteria of this Policy uniformly to similarly situated Affected Customers. OJRSA shall provide written notice of the Commission's determination to the requester within ten (10) business days after the meeting at which the determination is made.

C. Executive Director or OJRSA staff have no authority to approve a Relief Request or to waive, reduce, or defer any fee or charge except as expressly provided in this Policy.

Section 6. Application of Relief Awards. OJRSA shall apply each Relief Award as a payment or credit against the Eligible Costs invoiced to the Affected Customer. If the Affected Customer has already paid the Eligible Costs, OJRSA shall issue a refund of the Relief Award within fourteen (14) calendar days after approval. If a Retail Service Provider has paid Eligible Costs on behalf of an Affected Customer and furnishes evidence of that payment, OJRSA may instead apply the Relief Award as a credit on one or more subsequent OJRSA invoices to that Retail Service Provider. No Relief Award shall be paid in cash to any person except as a refund of Eligible Costs actually paid.

Section 7. Credits for Prior Fees; Limitation to Prior Use. The amount of Eligible Costs shall be determined after applying any credit available under the Schedule of Fees, including credits for impact fees previously paid, or capacity previously allocated, with respect to the damaged Premises or the new Premises. If the Affected Customer's use of the rehabilitated, reconstructed, or new Premises results in a greater flow, capacity requirement, or fee than the prior use of the damaged Premises, Eligible Costs shall not include the portion of any fee attributable to that increase.[1]

Section 8. Conditions; Duplication of Benefits; Repayment.

A. Relief Awards shall be limited to Eligible Costs that are not paid or reimbursed by insurance or by other federal, state, local, or private assistance. An Affected Customer that receives insurance proceeds or other assistance for Eligible Costs after a Relief Award is approved shall promptly notify OJRSA and repay the Relief Award to the extent of the duplication.

B. An Affected Customer shall repay the full amount of a Relief Award if (1) the Relief Request contained information that was materially false or misleading; or (2) sewer service is not established at the rehabilitated, reconstructed, or new Premises within twelve (12) months after approval of the Relief Award, unless the Commission extends that period for good cause.

C. As a condition of receiving a Relief Award, the Affected Customer agrees that any amount required to be repaid and not paid when due may be added to the Affected Customer's account and collected in the same manner as other OJRSA charges.

Section 9. General Provisions.

A. This Policy applies uniformly throughout the service area of the System. A Relief Award made under this Policy shall not constitute a waiver of any OJRSA rate, fee, or charge or a precedent for any other request.

B. The Commission's determination on a Relief Request is final. Nothing in this Policy creates any right of action against OJRSA, the Commission, or any OJRSA officer or employee.

C. The Commission may amend, suspend, or repeal this Policy at any time, provided that any Relief Award approved before such action shall be honored in accordance with its terms.

[1] Example: An Affected Customer, which is a restaurant with 20 seats, had a permitted capacity of 380 gallons per day ("gpd") at the Premises that was damaged by a Qualifying Disaster. They relocate to a property that only has 300 gpd of permitted capacity. In this case, the new location may be credited with up to an additional 80 gpd of permitted capacity if the fees, which shall include plan review, inspection, and other applicable fees, do not exceed the limit stated in Section 3.B of this Policy. If the Affected Customer also wants to have a total of 30 seats at the new location by adding 10 more seats, thus requiring an additional 190 gpd of capacity under the *OJRSA Impact Fee Policy* ("Impact Fee Policy"), then they will still be credited with the 80 gpd described above, however, they must obtain a capacity permit for the additional 190 gpd and pay the applicable impact and other fees associated with that growth in accordance with the current Impact Fee Policy and *OJRSA Schedule of Fees*.