

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

ORDINANCE NO. 26-04

An Ordinance To Amend Darlington County Code Of Ordinances, Chapter 40 (Personnel), Article II. (Department Head Residency Requirement), To Delete The Requirement For Department Head Level Personnel To Reside Within The County As A Condition Of Employment; Article III. (Retiree Health Insurance Assistance Program), Section 40-43 (Maximum Medigap Insurance Premium Supplement Amount), To Increase The County's Contribution Toward Retiree Insurance Premium; And Establish The Effective Date Of This Ordinance, As Amended

WHEREAS, the current requirement for department head level personnel to reside within the county, as a condition of employment, places the county at a competitive disadvantage when recruiting employees; and

WHEREAS, the county's annual budget includes an increase in the county's contribution toward retiree insurance premiums.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of Darlington County, South Carolina, the Darlington County Council that:

SECTION 1

Darlington County Code of Ordinances, Chapter 40 (Personnel), Article II. (Department Head Residency Requirement), **which currently reads:**

ARTICLE II. DEPARTMENT HEAD RESIDENCY REQUIREMENT

Sec. 40-21. Definitions.

[The following words, terms and phrases, as used in this article, shall have the meanings respectively ascribed to them in this section, unless the context clearly indicates otherwise:]

Department head level personnel means individuals hired to manage department functions in positions so designated by the budget documents adopted by county council and hired by the county administrator or by a board or commission established by ordinance of county council (does not include elected officials or officials appointed by an entity other than the county administrator or a board or commission established by ordinance of county council.).

Primary residence means the legal status, for tax, voting, and driving license purposes through which an individual's residency is recognized.

Sec. 40-22. Requirements.

Department head level personnel shall be required, as a condition of employment, to live in the county by establishing and maintaining their primary residence within the boundaries of the county within six months of their employment starting date or within six months of the adoption of this article, whichever is later. Department head level personnel not residing in the county as of January 2, 2018, are considered grandfathered and are not required to meet this residency requirement. All new department head level personnel hired after January 2, 2018, must meet the residency requirement.

Sec. 40-23. Extensions for cause.

The county administrator may grant an extension of the deadline for compliance with this requirement, for cause, of up to three additional months from the initial deadline. Such action, and the reasons therefore, shall be documented in writing in the individual's official personnel file.

Sec. 40-24. Establishing primary residence.

The department head's establishment of a primary residence in the county does not establish a contractual relationship between the department head and the county. The county is an "employer-at-will."

Sec. 40-25. Penalty.

The penalty for a department head level employee who fails to meet the residency requirement established herein shall be dismissal with notice.

Be deleted in its entirety.

SECTION 2

Darlington County Code of Ordinances, Chapter 40 (Personnel), Article III. (Retiree Health Insurance Assistance Program), Section 40-43 (Maximum Medigap Insurance Premium Supplement Amount), **which currently reads:**

Sec. 40-43. Maximum medigap insurance premium supplement amount.

As a part of the annual budget process, county council shall appropriate funds necessary to provide a monthly benefit of \$250.00 per month for eligible retirees under this plan.

Be amended to read as follows:

Sec. 40-43. Maximum medigap insurance premium supplement amount.

As a part of the annual budget process, county council shall appropriate funds necessary to provide a monthly benefit of ~~\$250.00~~ **\$450** per month for eligible ~~retirees~~ **retirees** under this plan.

SECTION 3

The provision of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Darlington, as an amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

SECTION 4

This ordinance shall become effective on **July 1, 2026**.

ATTEST:


J. Janet Bishop, Clerk to Council

DARLINGTON COUNTY COUNCIL


Bobby Hudson, Chairman

FIRST READING: April 6, 2026
SECOND READING: May 4, 2026
PUBLIC HEARING: May 4, 2026
THIRD READING: June 1, 2026