

Bond Case Briefs

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TIF - SOUTH CAROLINA

Donohue v. City of North Augusta

Supreme Court of South Carolina - June 17, 2015 - S.E.2d - 2015 WL 3757108

Resident brought action challenging validity of ordinance which amended an ordinance which created a tax increment financing district. The Circuit Court upheld ordinance. Resident appealed.

The Supreme Court of South Carolina held that:

- Amending ordinance was valid, and
- Mayor's and city council's announcement of an executive session to discuss negotiations incident to a proposed contractual matter did not satisfy Freedom of Information Act's (FOIA) requirement that specific purpose of executive session be announced in open session.

Statutory subsection providing that a municipality could by ordinance make changes to a redevelopment plan in accordance with procedures for initial approval referred only to the procedural requirements, such as public notices and hearings, and not to substantive requirements, and since there was no claim that mayor and city council did not meet those requirements for ordinance amending tax increment financing district ordinance, amending ordinance was valid.