

ARTICLE II. COUNTY COUNCIL*

***State law references:** County councils, S.C. Code 1976, § 4-9-90 et seq.

DIVISION 1. GENERALLY

Sec. 2-31. Chairman and vice-chairman.

There shall be a chairman and a vice-chairman elected by the council from among its members. The terms of office for the chairman and vice-chairman shall be for two years or until their successors are elected and qualified. Vacancies shall be filled for the unexpired term of the office vacated. Such elections shall be by majority vote of the whole council and shall be held at the first meeting of the council following each general election after newly-elected members have been sworn into office.

(Code 1983, § 2-16)

Sec. 2-32. Rotation in office.

Officers of the council shall be eligible to succeed themselves.

(Code 1983, § 2-17)

Sec. 2-33. Presiding officer.

The chairman shall act as presiding officer of the council, and the vice-chairman shall preside in his absence. In the absence of both, the members present shall select a temporary presiding officer for the meeting.

(Code 1983, § 2-18)

Sec. 2-34. Meetings.

(a) *Generally.* Any meeting, regular or special, may be postponed or adjourned by majority vote of those present.

(b) *Quorum.* A quorum shall consist of five members of the council. In the absence of a quorum, the meeting cannot be convened. Should sufficient members leave during a meeting, the presiding officer shall immediately declare a recess and attempt to obtain a quorum. If, after a reasonable time, a quorum has not been obtained, the meeting shall be adjourned. Members of council may excuse themselves briefly during a meeting without loss of a quorum. However, no vote may be taken during the temporary absence of a quorum.

(c) *Regular meetings.* The council shall meet in regular session on the first and third Monday of each month at 5:30 p.m. Should any of the regular meeting dates fall on legal holidays or be postponed for good and sufficient reason, the regular meetings which would otherwise have been held may, by vote of a majority of the council, be cancelled or postponed to a certain day and time. If the meeting is postponed, the meeting held on the postponed date shall be deemed to be a regular meeting.

State law references: Time and place of meetings, S.C. Code 1976, § 4-9-1040.

(d) *Special meetings.* The chairman or three members of council may call special meetings of the council in addition to the regular bimonthly meeting. The notice given shall specify the subject matter to be considered unless, after the meeting is assembled and all are present, all councilmen agree that they may proceed to transact business not specified in the call. Twenty-four hours' notice of special meetings shall be required.

State law references: Special meetings, S.C. Code 1976, § 4-9-1040.

(e) *Minutes.* The clerk shall record and maintain custody of the official minutes of the meetings of the council. The official minutes of the meetings of the council shall be a public record and shall be signed by the members of council upon approval by vote of the council.

(Code 1983, §§ 2-19--2-22)

Sec. 2-35. Books and papers.

No member shall take books or papers from the possession of the clerk to council without first acquainting the clerk and, if required, giving the clerk a receipt to return the books or papers in a reasonable time or upon demand.

(Code 1983, § 2-23)

Sec. 2-36. Resignation of members.

Resignation of councilmembers shall be in writing, and no final action shall be taken thereon by the council until the next regular meeting.

(Code 1983, § 2-24)

Sec. 2-37. Contempt of council.

Disorderly conduct amounting to an open or direct contempt or willful interruption of the proceedings of the council shall be punishable by a fine of up to \$50.00 or a sentence in the county jail of up to 20 hours.

(Code 1983, § 2-25)

Sec. 2-38. Execution of documents.

(a) The chairman shall execute, and the clerk to council or county administrator shall attest, all formal documents as required by law on behalf of the county except bonds, notes, loan agreements, mortgages, leases and deeds of the county, which shall be executed by the chairman and attested by the county administrator. The clerk to council and the county administrator shall maintain custody of the county seal and either shall affix the same to all documents required to be sealed. Provided, however, that specific ordinances providing for the execution of documents by specific county officials shall be executed in accordance with the ordinance specifying such execution.

(b) The vice-chairman shall be authorized to execute documents on behalf of the chairman in the event the chairman is unavailable.

(Code 1983, § 2-26)

Secs. 2-39--2-55. Reserved.

DIVISION 2. RULES OF PROCEDURE*

***State law references:** Power to determine rules and order of business, S.C. Code 1976, § 4-9-110.

Sec. 2-56. Definitions.

The following words, terms and phrases when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Debate, formal debate means discussion among members of council on the merits of the pending question. Formal debate can be terminated only by action of council (motions to adjourn, to table, for the previous question, etc.).

Informal debate, conversation means discussion among members of the council not subsequent to a motion. Informal discussion is a privilege granted by the chairman at his discretion. Parliamentary rules governing debate do not apply until a motion is made.

Meetings of council, executive session means meetings of council attended only by councilmembers together with employees or other persons invited to attend. Executive sessions are appropriate only for consideration of matters

concerning personalities, such as employees or appointments, contract negotiations or bids, and legal matters. No record need be made of executive proceedings, but the decision or result should be reduced to writing and entered on the minutes of council.

State law references: Similar provisions, S.C. Code 1976, § 30-4-70.

Meetings of council, regular sessions means all meetings at which business is transacted shall be public meetings. A record of the proceedings and all actions taken shall be recorded in the permanent public minutes of the council. Such meetings shall be fixed by the council and can be changed or postponed by a majority vote of all members.

Meetings of council, special sessions means a special meeting requested by three members of the council to consider emergencies and pertinent information which cannot be delayed until the next regular meeting. At least 24-hours' advance notice shall be given for such sessions.

Motion of the previous question means a motion by which any member may move the previous question. Such a motion does not involve action on the main motion itself, but rather anticipates the closing of debate and a vote on the main motion. The question is called upon a two-thirds vote of the members present and voting. Alternatively, the chairman may call the previous question if it appears that no member would like to speak further to the matter. Any members may request that the chairman call the question.

Motion to amend means a motion to strike and/or add to any part of a main motion, or to rephrase a motion. An amendment may be hostile to the intent of the main motion, but it must be germane to the subject of the motion. A motion to amend is appropriate in order to alter the effect of a main motion without drastically changing the structure or approach of the main motion. An amendment is voted on independently before voting on the main motion.

Motion to continue means a motion which postpones consideration of a matter to the next regular session of council. The motion to continue is most appropriately made before any other motion is introduced to deal with the matter at hand. After a motion is made on a matter, a motion to postpone to a definite time is more appropriate.

Motion to defer means a motion which postpones consideration of a matter until it is returned to the floor. Any matter deferred shall be placed on the pending list and may be recalled at the appropriate time during any subsequent meeting by a main motion and a second.

Motion to lay on the table means a motion which postpones consideration of a matter indefinitely. Any matter tabled may be returned to the floor at any subsequent meeting by being placed on the agenda in the same manner as a matter of new business or by unanimous consent of all members present.

Motion to postpone means a motion which postpones consideration of a matter to a certain time specified in the motion, e.g., "I move to postpone this matter until January 25." Any matter postponed shall automatically be placed on the agenda for the date specified.

Motion to reconsider means a motion which opens the floor to a new main motion contrary to a previous action. A motion to reconsider is not itself a main motion to alter such previous action. If the motion is to reverse a previous action, then at least five members must vote to reconsider, and the motion must be made by the previous winning side.

Substitute motion means a motion to strike a primary motion in its entirety and insert a new motion in lieu thereof. A substitute motion should be inconsistent with, and must be germane to the subject of, the primary motion. A substitute motion is appropriate in order to change drastically the structure or approach of the main motion. Simpler changes should be submitted as amendments. Since the substitute motion replaces the primary motion, it becomes itself a main motion and may be amended, tabled, etc. The substitute motion is properly voted on before the primary motion; passage of the substitute disposes of the primary motion and of any previous substitute motion.

(Code 1983, § 2-36)

Cross references: Definitions generally, § 1-2.

Sec. 2-57. Orders of session.

(a) Meetings of the council shall be conducted according to the agenda for the day, and any departure from it shall be out of order unless the council shall so order by unanimous consent.

(b) All items of new business to be included in the agenda must be delivered to the clerk prior to 12:00 noon on the day determined to complete the agenda for the next scheduled meeting.

(c) Any matter postponed or continued by action of the council shall be automatically included in the agenda for the day determined by such decision of council.

(d) Any matter deferred by action of the council shall be automatically included in the pending list. The current pending list shall be attached to the agenda for each meeting. At the time when the orders of the day call for old business, any item on the pending list may be recalled to the floor upon the motion of any member and a second.

(e) The agenda shall consist of the following categories of business, to be taken up in the order listed:

- _____ (1) Call to order.
- _____ (2) Invocation.
- _____ (3) Approval of minutes of previous meeting.
- _____ (4) Ratification of executive items.
- _____ (5) Public comments: Agenda considerations and other matters.
- _____ (6) Ordinances:
 - _____ a. Third reading.
 - _____ b. Second reading.
 - _____ c. First reading.
- _____ (7) Resolutions.
- _____ (8) Committee reports, in alphabetical order.
- _____ (9) Appointments.
- _____ (10) Acceptance of bids.
- _____ (11) Other items.
- _____ (12) Requests by councilmen.
- _____ (13) Personal appearances.
- _____ (14) Vote for executive session, when necessary.
- _____ (15) Vote for adjournment.
- _____ (16) Adjournment.
- _____ (17) Executive session.

(Code 1983, § 2-37)

Sec. 2-58. Rules of order--Conduct of members and guests of council during session.

(a) When the council is called to order, every member and every guest shall take his seat and shall, during the session, act with decorum.

(b) The chairman shall preserve order. If any member violates the rules of order as recognized by the council, the chairman shall, or other member may, call him to order. A member who is called to order shall immediately take his seat until the question of order is decided, unless he is allowed by the chairman to explain his action.

(c) The chairman shall decide all questions of order without debate, or with short conversation as he may permit. However, any member may appeal to the council to overrule the decision of the chairman which shall require at least three votes of the members present and voting.

(d) If repeated calls do not produce order, the chairman may call by name any member persisting in irregularity. Such person may then explain his conduct but may be ordered by the chairman to withdraw while council considers punishment or other proceeding to be had.

(e) In case of any disturbance or disorderly conduct by persons present, the chairman shall have power to order the chamber cleared, and any member may move for such order. Any person guilty of flagrant contempt of council may be

ordered into custody.

(Code 1983, § 2-38)

Sec. 2-59. Same--Voting.

(a) All votes shall be recorded by the clerk and preserved in the official minutes.

(b) Any member who does not record a negative vote or declare himself as not voting shall be recorded as voting in the affirmative.

(c) Debate shall cease during voting and until the decision is announced by the chairman.

(d) No vote change shall be allowed after the announcement of the decision.

(e) No vote by proxy shall be permitted in any case.

(f) Except where otherwise specified in the rules, a majority vote of those members present and voting shall decide all questions.

(g) No member shall vote on any question of a private nature if he is personally or pecuniarily interested.

(h) The chairman shall vote in all cases, except when he may be personally or pecuniarily interested or otherwise excused. The chairman's name shall be called last, and if with his vote the council remains equally divided, the question shall be decided in the negative.

(Code 1983, § 2-39)

Sec. 2-60. Same--Parliamentary procedure.

(a) *When debate is in order.* Debate among members of the council is in order only after a motion has been stated by the chairman and seconded.

(b) *Nondebatable motions.* Certain parliamentary motions must be decided without formal debate. These motions are:

_____ (1) To adjourn or recede;

_____ (2) To continue;

_____ (3) To lay on the table;

_____ (4) To postpone indefinitely or to a certain day;

_____ (5) To suspend or depart from the agenda, or to return to it; and

_____ (6) For the previous question.

(c) *Informal debate.* Immediately after receiving a nondebatable motion, and at other times when no motion is on the floor, the chairman may allow such conversation as he deems appropriate, but all such informal discussion remains subject to his discretion. The chairman may call for the vote on the matter at hand or terminate discussion at any time, and in such instances his decision may not be appealed.

(d) *Temporary suspension of business.* The following instances may suspend any matter before the council temporarily:

_____ (1) Point of order;

_____ (2) Point of personal privilege;

_____ (3) Question of recess; and

_____ (4) Other incidental questions, such as of reading papers, dividing a question, withdrawing a motion, or excusing a member from voting.

(e) *Motions in order during formal debate.* When a motion has been stated and seconded and debate has begun, no motion except the following shall be in order:

- (1) To adjourn or recede;
- _____ (2) To continue;
- _____ (3) To table;
- _____ (4) For the previous question;
- _____ (5) To postpone indefinitely;
- _____ (6) To postpone to a certain day;
- _____ (7) To recur to the agenda;
- _____ (8) To substitute a motion germane to the matter at hand; and
- _____ (9) To amend.

(f) *Substitute motions.* No more than two motions may be received in substitute for the motion on the floor. Any substitute motion defeated by a vote of council shall be counted as one of two permissible substitute motions, but any substitute motion which fails for lack of a second shall not be so counted.

(g) *No dilatory motions.* The chairman shall entertain no motion the effect of which will be unnecessarily to delay the business of council.

(h) *Repeated motions.* Once one of the following motions has been made and rejected, no motion of the same effect shall again be allowed with regard to the same question to:

- _____ (1) Continue;
- _____ (2) Postpone;
- _____ (3) Defer; or
- _____ (4) Table.

(i) *Division of a question.* Any member may call for the division of the question. Council may then divide it if the question can be so comprehended that, one part being taken away, the rest can stand entirely for decision. A motion to divide the question shall require a second and shall be effective upon the vote of a majority of members present and voting; provided, however, that a motion to "strike out and insert" may not be divided, but that rejection of a motion to "strike out" shall not preclude a motion to "strike out and insert."

(j) *Withdrawal of a question.* The member who introduced a motion may withdraw it before decision on it or on any amendment to it, so long as the member seconding the motion shall not object; provided, however, that, no motion may be withdrawn after the previous question has been called.

(k) *Reconsideration.* After a question has been decided, any member who voted with the prevailing side may move for a reconsideration, and any member may second such motion. However, if council either shall refuse to reconsider or shall affirm its first decision by a vote of five members to reconsider, then no further reconsideration shall be in order except by unanimous consent. The motion to reconsider shall have precedence over all other main motions; but it may be introduced only on the day of the decision of council that must take the form of a main motion to rescind, but must be by a vote of at least five members.

(l) *Resumption of debate.* If debate on a question is continued or postponed by action of council, that question shall be resumed as the first item of business in its proper category on the agenda at the next regularly scheduled meeting of the council, unless another certain date is specified in the action to continue or postpone.

(m) *Suspension of the rules.* Any member may request, as a matter of privilege, a suspension of any rule contained in this chapter. The rules shall be suspended only by written resolution, upon the unanimous consent of all members present.

(n) *Parliamentary practice.* In all particulars not determined by these rules, the practice of the council shall be guided by Demeter's Manual of Parliamentary Law.

(Code 1983, § 2-40)

Sec. 2-61. Resolutions.

Any temporary or enabling enactment, regulation, or action expressing the policy, intent, or sense of the council shall be in the form of and entitled a "resolution" and shall:

- _____ (1) Be in writing, shall have a heading stating its subject and a specific reference to the governing statute or county ordinance pursuant to which it is enacted, if any; it shall relate only to matters encompassed by the controlling statute or ordinance; and it shall be divided into sections with appropriate subtitles;
- _____ (2) Be enacted in public session by at least a majority of those members of the council present and voting. Such vote will be recorded;
- _____ (3) Be signed by the chairman or vice-chairman presiding and attested and sealed by the clerk to council or county administrator; and
- _____ (4) Become effective upon the date of enactment unless otherwise specified in the regulation.

(Code 1983, § 2-41)

Sec. 2-62. Actions.

- .(a) Except in the case of an ordinance or resolution, any official decision, proclamation, motion, administrative action or routine business involving or requiring consent or decision of the council shall be entitled an "action."
- .(b) Such action shall require no special form.
- .(c) Such action may be passed by a majority vote of those members present and voting, in public session or executive session.
- .(d) Such action shall be effective upon its official entry in the minutes of the council, which shall be a permanent public record.

(Code 1983, § 2-42)

Sec. 2-63. Appearances, presentations and petitions to council.

- .(a) Any person desiring to be heard during the regular council meeting must submit his request to the administrator at a date and time determined by policy of county council.
- .(b) Each request must give the name and address of the person appearing, the nature of his presentation, and the estimated time length for the presentation.
- .(c) If a presentation should be made on behalf of the organization or group of persons, the organization or group will designate one spokesman to make the presentation on behalf of that particular group or organization.
- (d) If the chairman of the council determines that there is insufficient time available for a personal appearance at a particular meeting, he may schedule the personal appearance for any subsequent meeting, considering the availability of time. The chairman may, in his discretion, establish time limits for any presentation or personal appearance.
- .(e) No person shall be allowed to make personal appearances, presentations, present petitions, or otherwise be recognized from the floor for comments, except as permitted under the agenda set out in subsection 2-57(e).
- (f) This procedure shall not be applicable to representatives of the news media, nor shall it apply to council staff members or other county employees who may be recognized by the chairman for questions and comments relating to the business of the council.
- .(g) Appearances shall be scheduled at the end of the agenda just prior to adjournment.

(Code 1983, § 2-43)

Sec. 2-64. Inspection of records.

- .(a) Any candidate, as well as any citizen, will be allowed the privilege to look at any materials, to read any records, files or materials and have access to them, but none of the permanent records of the county shall be turned over to anyone to be taken out of the normal county depository. Those records excepted from public inspection are employee personnel files

and the records of the county sheriff's department. Inspection and copying are subject to the following conditions:

- _____ (1) Copying costs will be at the expense of the candidate or citizen;
- _____ (2) A request for materials will not interrupt normal county business; and
- _____ (3) County employees will not be required to do research in supplying information to candidates.

.(b) Such information will be supplied at the discretion of the county administrator or upon a person making an appointment to obtain materials from the council office.

(Code 1983, § 2-44)

Secs. 2-65--2-80. Reserved.

DIVISION 3. ORDINANCES*

***State law references:** Procedures for adoption of ordinances, S.C. Code 1976, §§ 4-9-120, 4-9-130.

Sec. 2-81. General provisions.

The council shall take legislative action by ordinance. With the exception of emergency ordinances, all ordinances shall be read at three public meetings of council on three separate days. All proceedings of council shall be recorded and all ordinances adopted by council shall be compiled, indexed, codified and published by title. The clerk to council shall maintain a permanent record of all ordinances adopted and shall furnish a copy of such record to the clerk of court for filing in that office.

(Code 1983, § 2-56)

Sec. 2-82. Hearings.

(a) Public hearings, upon giving reasonable public notice, shall be held before final council action is taken to:

- _____ (1) Adopt annual operational and capital budgets;
- _____ (2) Make appropriations, including supplemental appropriations;
- _____ (3) Adopt building, housing, electrical, plumbing, gas and all other regulatory codes involving penalties;
- _____ (4) Adopt zoning and subdivision regulations;
- _____ (5) Levy taxes; and
- _____ (6) Sell, lease or contract to sell or lease real property owned by the county.

.(b) Not less than 15 days' notice of the time and place of such hearings shall be published in at least one news paper of general circulation in the county.

(Code 1983, § 2-57)

Sec. 2-83. Procedures for enactment of all ordinances, excluding emergency ordinances.

.(a) Ordinances may be introduced by any member of the county council and all ordinances must be submitted to the clerk to council in writing.

.(b) The clerk to council shall assign a calendar number to the proposed ordinance, with the name of the sponsor noted thereon.

.(c) The county attorney or his assistants shall review the proposed ordinance for purposes of legality and constitutionality. The county attorney shall also ensure the ordinance has been given a proper title. The county

administrator shall review proposed ordinances as to form.

(d) Ordinances shall be listed on the calendar by number, sponsor, and title, in the order in which they are introduced and reported out by the county administrator's office.

(e) Notice of the time and place of hearings for those ordinances requiring public hearings (readings) must be published 15 days in advance of the public hearing in a newspaper of general circulation in the county.

(f) The first reading, usually by title only, of the ordinance shall be recorded in the minutes of county council. No amendments may be made to the ordinance during first reading, and the ordinance must lie on the table until the second reading. If all members are furnished with a copy of the ordinance, a verbatim reading shall not be required unless it shall be specifically requested by a member.

(g) The second reading of the ordinance may not be on the same calendar day as the first reading. On second reading, a proposed ordinance may be fully debated, amended, tabled, etc. After discussion, the ordinance is voted on by voice vote or roll call. A roll call vote shall be required on second reading for all contested ordinances.

(h) There shall be at least seven calendar days between the second and third readings of a proposed ordinance. On third reading, the proposed ordinance may be acted on in the same manner as for the second reading, except the ordinance may only be amended by unanimous consent. If adopted by majority vote of the county council, the proposed ordinance becomes an official ordinance.

(i) The clerk to council shall be responsible for indexing and providing for compilation of the adopted ordinance in this Code.

(j) The clerk to council and the county attorney shall cause a copy of the adopted ordinance to be filed in the office of the clerk of court. A record of filing shall be maintained by the clerk to council.

(k) The clerk to council and the county attorney shall ensure the adopted ordinance is forwarded to the consultant and publisher for printed revisions of this Code.

(l) The clerk to council, or designee, shall cause a copy of the revised code sections, once received from the publisher, to be forwarded to such officials in the county as the council may from time to time designate and to such private parties as may subscribe to such distribution service.

(Code 1983, § 2-58)

Sec. 2-84. Emergency ordinances.

(a) An emergency ordinance may be enacted only to meet public emergencies affecting life, health, safety, or the property of the people. Such an ordinance may not levy taxes, grant, renew or extend a franchise, nor may it impose or change a service rate.

(b) Each emergency ordinance shall contain a declaration that an emergency exists, defining the emergency, and shall be entitled an "Emergency Ordinance."

(c) Emergency ordinances require no readings or prior publications before adoption by county council.

(d) Emergency ordinances require a two-thirds affirmative vote of members present for adoption.

(e) An emergency ordinance is effective immediately on the date of adoption and shall expire automatically on the 61st day following the date of enactment.

(f) The clerk to council shall be responsible for indexing and providing for compilation of the emergency ordinance adopted and shall, with the county attorney's assistance, cause a copy of the emergency ordinance to be filed in the office of the clerk of court.

(Code 1983, § 2-59)

Sec. 2-85. Public inspection and/or purchase.

All ordinances shall be made available for public inspection in the clerk to council's office and may be purchased from the clerk's office at a reasonable price.

(Code 1983, § 2-60)

Secs. 2-86--2-100. Reserved.

DIVISION 4. PRESERVATION OF COUNCIL ACTIONS

Sec. 2-101. Formal system of official actions established.

There is hereby established a formal system to be employed by the council of enacting, recording and preserving the official actions of the council pursuant to the authority vested in it by the constitution and laws of the state. No action taken by the council shall have force and effect unless such action is accomplished in accordance with this chapter, except as otherwise specifically provided by the law of this state or of the United States.

(Code 1983, § 2-71)

Sec. 2-102. Permanent enactments, ordinances.

All permanent enactments, resolutions or official actions taken by the council intended to have permanent and continuing effect, as a statute or decree, shall be in the form of and entitled an "ordinance." Such ordinance shall be in writing, shall have a title accurately stating its purpose, shall relate to only one subject, shall be divided into sections with appropriate subtitles, shall be enacted only by majority vote, of the whole council in public session which vote shall be recorded and no vote by proxy permitted, shall state the effective date of the ordinance, shall be signed by the chairman or vice-chairman presiding and attested by the clerk to council, and shall be serially numbered each calendar year commencing with the number one for the first ordinance of each year. Upon the request of any councilmember, except in time of emergency as declared by a majority vote of those members of the council present and voting, any proposed ordinance shall be required to lay upon the table one week before a vote is taken thereon.

(Code 1983, § 2-72)

Sec. 2-103. Temporary and enabling enactments, regulations.

All temporary or enabling enactments or official actions taken by the council intended to have only temporary, or enabling, or regulatory effect (as rules or directions to carry out the intent of a law of the state or an ordinance of the council) shall be in the form of and entitled a "regulation." Such regulation shall be in writing, shall have a heading stating its subject and a specific reference to the governing statute or county ordinance pursuant to which it is enacted, shall relate only to matters encompassed by the controlling statute or ordinance, shall be divided into sections with appropriate subtitles, shall be enacted in public session by at least a majority of those members of the council present and voting which vote shall be recorded and no vote by proxy permitted, and shall be signed by the chairman or vice-chairman presiding and attested by the clerk. A regulation shall be effective upon the date of enactment unless otherwise specifically provided in the regulation.

(Code 1983, § 2-73)

Sec. 2-104. Administrative and routine decisions; actions.

Any other official decision, proclamation, motion, resolution administrative action or routine business involving or requiring consent or decision of the council shall be entitled an "action." Such action shall require no special form or content and may be passed by a majority vote of those members of the council present and voting, in public session or executive session, except that no vote by proxy shall be permitted. Such action shall be effective upon its official entry in the minutes of the council, which shall be a permanent public record.

(Code 1983, § 2-74)

Sec. 2-105. Preparation, publication and notice.

Unless waived by a majority vote of those members of the council present and voting, no ordinance or regulation shall be enacted or promulgated by the council unless it has been prepared or reviewed by the county attorney or other competent attorney approved by the council, and his approval as to form and legality of the proposed ordinance or regulation is endorsed thereon. All ordinances, regulations and actions of the council shall be deemed published and the public notice thereof shall be effective as of the date the formalities of enactment provided in this chapter are complied with, and are

entered into the minutes of the council.

(Code 1983, § 2-75)

Sec. 2-106. Codification, indexing and distribution.

The county council shall provide for permanent codification and preservation of all ordinances enacted by it. Such codification shall be in printing or other form of permanent reproduction, shall be arranged in a simple and convenient manner by subject matter, and shall be indexed in such form as to be easily used and read by the public. Regulations may be included in such codification, and if so shall be inserted at the foot of the ordinance to which they were promulgated. No codification shall be required of other actions except entry in the minutes of the council, which minutes shall be a public record. The council may provide for reproduction and distribution of codified ordinances and regulations to county officers, to the legislative delegation, and to other interested persons and may provide for sale of copies thereof to the public.

(Code 1983, § 2-76)

Sec. 2-107. Prior decisions and actions preserved.

Whether or not enacted with the formalities provided in this chapter, all prior decisions, enactments and actions of the council and its predecessor governing bodies of the county remain in full force and effect except as heretofore or hereafter overruled, repealed, revoked or amended by law or by subsequent ordinance, regulation or action of the council.

(Code 1983, § 2-77)

Sec. 2-108. Legislative and judicial powers not affected.

No ordinance, regulation or action of the council shall purport to control or affect the legislative and judicial branches of the government of the county or the state, except those enacted pursuant to specific powers or duties placed upon the council by constitution or statute. All ordinances, regulations or actions of the council shall otherwise be binding upon all persons lawfully affected thereby.

(Code 1983, § 2-78)

Sec. 2-109. Amendment and repeal.

No ordinance, regulation, or action of the council enacted pursuant to this chapter may be amended or repealed except by the same formal procedure and requirements as provided for the enactment thereof.

(Code 1983, § 2-79)

Sec. 2-110. Preservation and erasure of tape recordings.

(a) The clerk or duly authorized representative of council shall be responsible for recording the proceedings of county council by shorthand, stenotype and/or electronic recording.

(b) The clerk or duly authorized representative shall be responsible for transcribing such proceedings into the form of minutes for presentation to county council for approval and/or amendment.

(c) The clerk shall maintain the shorthand notes, stenotype tapes and/or electronic recordings of a meeting for a period of two years from the date the minutes of such meeting were approved.

(d) Upon the expiration of the two-year period, the clerk shall destroy shorthand notes, stenotype tapes and shall erase and reuse electronic recordings.

(e) All stenotype tapes, shorthand notes and/or electronic recordings remain the property of the council. Approved minutes of council meetings are available for public review; however, any individual desiring information from a filed stenotype tape and/or electronic recording must receive prior permission from the county administrator and submit a written request to the clerk. No stenotype tape and/or electronic recording may be removed from the clerk to council's office. Any listening to such recordings must be done in the presence of the clerk or the designee of the county administrator.

(Code 1983, § 2-80)

Secs. 2-111--2-125. Reserved.

DIVISION 5. STANDING COMMITTEES

Sec. 2-126. Administrative committee.

The administrative committee shall deal with the following areas:

- _____ (1) Personnel.
- _____ (2) Personnel policies and procedures affecting the selection, appointment, compensation and qualifications, tenure, seniority, retirement and other matters relating to county officials and employees.
- _____ (3) Property assessment, taxation, direction and coordination of administrative activity, governmental organization and structure.
- _____ (4) Acquisition, leasing and disposition of personal property, materials, supplies and equipment.
- _____ (5) Nominations for appointments to the following boards and commissions:
 - _____ a. Grievance committee;
 - _____ b. Tax appeal board; and
 - _____ c. Special tax districts boards.
- _____ (6) Related matters.

(Code 1983, § 2-92)

Sec. 2-127. Finance committee.

The finance committee shall deal with the following areas:

- _____ (1) Appropriations and expenditures;
- _____ (2) Collection, receipt and disbursement of county funds;
- _____ (3) Budgeting and accounting methods and procedures;
- _____ (4) Capital improvements and programming;
- _____ (5) Bonds and indebtedness;
- _____ (6) Purchasing and the supervision of purchasing procedures; and
- _____ (7) Related matters.

(Code 1983, § 2-93)

Sec. 2-128. Parks, recreation and agriculture committee.

The parks, recreation and agriculture committee shall deal with the following areas:

- _____ (1) Parks.
- _____ (2) Recreation.
- _____ (3) Agriculture.
- _____ (4) Forestry.

(5) Animals and wildlife.

(6) Nominations for appointments to the following boards and commissions:

- a. Area neighborhood development commission.
- b. Historical commission.
- c. Santee-Cooper Counties Promotion Commission.
- d. Lower Savannah Regional Committee on Aging.

(7) Miscellaneous and related matters.

(Code 1983, § 2-94)

Sec. 2-129. Public health and safety committee.

The public health and safety committee shall deal with the following areas:

- (1) Health.
- (2) Education.
- (3) Social services.
- (4) Museums and historic sites.
- (5) Vocational training.
- (6) Rehabilitation.
- (7) Libraries and nonlegal publications.
- (8) Legislation and legal matters.
- (9) Law enforcement.
- (10) Court-related matters.
- (11) Public records, law libraries, and legal publications.
- (12) Public safety.
- (13) Fire prevention and protection.
- (14) Judicial administration.
- (15) Intergovernmental relations.
- (16) Correctional facilities.
- (17) Solicitor.
- (18) Public defender.
- (19) Coroner offices.
- (20) Nominations for appointments to the following boards and commissions:
 - a. Tri-county alcohol and drug abuse board.
 - b. Ambulance commission.
 - c. District board of health.
 - d. Law enforcement commission.

e. Mental health.

f. Orangeburg-Calhoun Technical Education Board.

g. Low Country Emergency Medical Services Council.

h. Orangeburg-Calhoun-Allendale-Bamberg Community Action Board.

i. Lower Savannah Emergency Medical Service Committee.

(21) Miscellaneous and related matters.

(Code 1983, § 2-95)

Sec. 2-130. Public service and planning committee.

The public service and planning committee shall deal with the following areas:

(1) County planning and zoning adoption and amendments.

(2) Subdivision regulations.

(3) Regulation of buildings (building codes, gas, plumbing, mechanical, swimming pool, roofing, grading and demolition, electrical regulations, fire prevention code, etc.).

(4) Engineering matters.

(5) Land use planning, drainage and flood control.

(6) Right-of-way protection and acquisition.

(7) Condemnation.

(8) Supervision of county buildings, grounds, parking facilities and other county facilities.

(9) Parking and traffic control.

(10) Public use.

(11) Industrial development.

(12) Official map adoption.

(13) Soil and water.

(14) Acquisition, leasing and disposition of real property.

(15) Exercising the power of eminent domain.

(16) Transportation facilities and services.

(17) Nominations for appointments to the following boards and commissions:

a. Aviation commission.

b. Development commission.

c. Planning commission.

d. Lower Savannah Regional Transportation Advisory Commission.

(18) Related matters.

(Code 1983, § 2-96)

Sec. 2-131. Public works committee.

The public works committee shall deal with the following areas:

- _____ (1) County roads and state highways;
- _____ (2) Bridges;
- _____ (3) Heavy equipment;
- _____ (4) Landfills;
- _____ (5) Maintenance shop;
- _____ (6) Roadside appearance;
- _____ (7) Garbage collection and disposal;
- _____ (8) Railroads and railroad facilities; and
- _____ (9) Related matters.

(Code 1983, § 2-97)

Sec. 2-132. Council committee attendance.

Each member of the county council shall make every effort to attend each regular and special meeting of the council committee to which they have been assigned. If any councilperson cannot attend with good reason and shall be excused by the chairman of the committee, it shall be noted in the record.

(Code 1983, § 2-98)

Sec. 2-133. Attendance reports of council committees.

The county administrator or his designee shall record the attendance of all councilpersons at each regular or special committee meeting. These records shall be transmitted to the county council annually in January of each year for the preceding year.

(Code 1983, § 2-99)

Secs. 2-134--2-150. Reserved.