

Ordinance No: 2017-09

AN ORDINANCE AMENDING CHAPTER 2,
SECTION 2-1

BE IT ENACTED BY THE TOWN COUNCIL OF THE TOWN OF PAWLEYS ISLAND:

INTENT

The purpose of this amendment to this ordinance is to provide clarification to the scrivener's error made by the electronic codification of the Town of Pawleys Island Code of Ordinances by Municode.

WHEREAS, November 10, 1997 the Town of Pawleys Island enacted an Ordinance in which the "Council form" of government was adopted as the form of government for the Town. This based upon a Referendum of the citizens and voters of the town of Pawleys Island, voted in the majority for a "Council form" of government.

WHEREAS, since the enacting of the above referenced Ordinance the Town has operated as a "Council form" structured as a municipal form of government.

WHEREAS, in the year of 2010, Municode codified the Town of Pawleys Island Code of Ordinances into an electronic database.

WHEREAS, the electronically codified Town of Pawleys Island Code of Ordinances, completed by Municode, did not include the above reference 1997 enacted ordinance which transformed the Town of Pawleys form of government to "Council form".

WHEREAS, the exclusion of the above referenced 1997 ordinance was a scrivener's error by Municode, and that the lack of appearance of said ordinance in the electronic codification, did not effect the enforcement of the said 1997 ordinance.

WHEREAS, this Amendment to Chapter 2, Section 2-1 of the Town of Pawleys Island Code of Ordinances, retroactively amends the scrivener's error by Municode, and that hereinafter the said amended ordinance goes effect as it is and was originally intended in 1997 and which should have been presented in the Municode 2010 electronic codification.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF PAWLEYS ISLAND, SOUTH CAROLINA, PURSUANT TO THE SOUTH CAROLINA CODE OF LAWS 1976 (AS AMENDED) THAT:

Sec. 2-1 – Form of Government

- a. The Council form of municipal government with a mayor and four council members who shall be elected at large for a term of two (2) years as provided by South Carolina

Code of Laws, 1976 (as amended), Section 5-11-10, et seq. is hereby adopted by The Town of Pawleys Island to be effective on November 10, 1997 or as soon thereafter as prescribed by State law.

- b. The Mayor shall be elected at large from the Town, in the manner provided by State law. Upon the election of the Mayor, the Mayor will have no powers or responsibilities as every other council member except as follows:
 - 1. The Mayor shall be recognized as the head of the Town for all ceremonial purposes and by the Governor for purposes of Military law.
 - 2. The Mayor shall preside over the meeting of Town Council, be an ex officio chairman of all appointed committees, but shall have no regular administrative duties. Provided however, the Council may authorize the Mayor to perform some of the administrative duties listed in Section 5-9-30 of the South Carolina Code of Laws, 1976 (as amended).
- c. The Council shall exercise all legislative and administrative functions. The Council may establish and determine the functions of the municipal departments, offices, or agents pursuant to Section 5-11-40(a) of the South Carolina Code, as annotated. The Council shall be responsible for adopting operating and capital budgets for the municipality prior to the fiscal year's start. The Council must also provide for levying and collections of taxes necessary to meet the budget requirements pursuant to Section 5-11-40(c) of the South Carolina Code, as annotated. The Council may, at its discretion, hire administrator whose duties and responsibilities should be clearly defined by ordinance pursuant to Section 5-11-40 of the South Carolina Code, annotated (1976).

This Ordinance shall take effect and amend Chapter 2 of the Code Section 2-1 and be in full force after the date of its adoption by the Town Council of the Town of Pawleys Island.

Adoption of the foregoing Ordinance moved by Sarah Zimmerman and seconded by Mike Adams and after discussion and call to vote thereon, the vote was as follows:

Those in favor: Mayor Otis, Mike Adams, Ashley Carter, Rocky Holliday, Sarah Zimmerman

Those opposed: None

Date of first reading: July 10, 2017

Date of second reading: August 14, 2017

APPROVED: William L. Otis, Jr. Mayor DATE: 8/14/17
WILLIAM L. OTIS, JR., MAYOR

ATTEST: Diane Allen DATE: 8/14/17
DIANE ALLEN, TOWN CLERK