

Ordinance 2015-02

AN ORDINANCE TO AMEND ARTICLE 2, GENERAL GOVERNMENT AND ADMINISTRATION, CHAPTER 3, SECTIONS 2-301(a), 2-302, 2-305(a) (b) AND (e), 2-308(a), (a)(2)(d), 2-316, 2-317(a)

WHEREAS, the Town wishes to amend the referenced sections as set forth below.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED, by the Council of the Town of Kiawah Island, South Carolina and it is ordained by the authority of said Council.

Section 1. Purpose

To amend the referenced sections.

Section 2. Ordinance

- A. Section 2-301(a).- Quorum and rules of order shall be amended as follows:
- (a) A majority of council members serving constitutes a quorum for the conduct of business at any meeting. The mayor or mayor pro tempore shall preside, except when both are absent, then members present shall elect a presiding member. A member present but disqualified from voting on a question by state law due to a conflict of interest shall be counted for purposes of a quorum.
- B. Section 2-302.- Agenda shall be amended as follows:
- Matters to be considered by council at a regular council meeting may be placed on a written agenda publicly posted by the town clerk at least 24 hours prior to the meeting; provided however, an amendment of the agenda for a regularly scheduled meeting may be made at that meeting without violating the Freedom of Information Act. The desired deadline for agenda item requests is three full working days prior to the meeting. Matters to be considered by Council at a special council meeting shall be placed on written agenda publicly posted by the town clerk at least 24 hours prior to the meeting.
- C. Section 2-305(A) shall be amended as follows:
- (a) All actions of council shall be by majority vote of members present (present shall include a council member attending the meeting via telephone or other electronic means) at a public meeting, including suspension of a rule of order; provided that an ordinance amending rules of order shall be adopted by a majority of members serving. A council member attending a meeting via telephone or other electronic means may cast a vote.
- D. Section 2-305(b) shall be amended as follows:

- (b) Every member of council present (present shall include a council member attending the meeting via telephone or other electronic means), including the mayor or presiding member, shall vote on every question except when required to refrain from voting by state law.
- E. Section 2-305(E) shall be amended as follows:
 - (e) No member of council may leave the public meeting while in public session without the permission of the presiding officer.
- F. Section 2-308(A) shall be amended as follows:
 - (a) Any citizen of the town may speak at a regular meeting on a matter pertaining to municipal services and operation, except personnel matters. No more than 30 minutes shall be allowed for citizen presentations, comments and/or questions and the time shall be divided equally among those requesting to speak. Responses to public presentations, comments, and/or questions shall be made at the council's discretion and in the manner described below.
- G. Section 2-308(2)(d) shall be amended as follows:
 - d. All citizens wishing to have a question(s) answered may pose the question(s) orally at the council meeting, may submit such question(s) to the Clerk in writing at the time such question(s) is presented at the meeting, or may do so prior to the meeting and then also pose the question(s) orally again at the meeting. The Town will make a good faith effort to respond to such question(s) at the meeting when the question(s) is presented if the question(s) can be accurately and readily answered. If not, the Town will make a good faith effort to respond to such question(s) in writing within two weeks of the public presentation of the question(s).
- H. Section 2-316 shall be amended as follows:

Written resolutions may be adopted on one reading unless a public hearing is set by majority vote of council members present.
- I. Section 2-317(A) shall be amended as follows:
 - (a) All ordinances of a general and permanent nature shall be codified and updated annually in a loose leaf Code of Ordinances, except those adopted by reference and maintained in separate volumes, and copies shall be available for public inspection and purchase at a reasonable cost.


SECTION 3 Severability

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

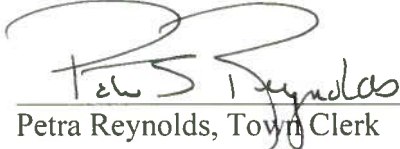
SECTION 4 Effective Date and Duration

This Ordinance shall be effective upon second reading approval.

PASSED, APPROVED, AND ADOPTED BY COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS 10th DAY OF MARCH, 2015.



Charles R. Lipuma, Mayor



Petra Reynolds, Town Clerk

First Reading Approval: February 10, 2015

Second Reading Approval: March 10, 2015