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GENERAL GOVERNMENT AND ADMINISTRATION

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GENERAL GOVERNMENT AND ADMINISTRATION

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CHAPTER 1

GENERAL PROVISIONS

Section 2-101 Form of Government

The Mayor-Council Form of municipal government as provided for in Sections 5-9-10 through 5-9-40 of the Code of Laws of South Carolina, 1976, as amended, is hereby adopted for the Town of Kiawah Island, South Carolina, pursuant to Sections 5-1-10, et seq. of the Code of Laws of South Carolina, 1976, as amended.

Section 2-102 Corporate Boundaries

The municipal corporate boundaries of the Town of Kiawah Island shall be those now and hereafter specified by law, along with any alterations that are made from time to time as provided for by law. A map and a written description of the municipal corporate boundaries shall be maintained and adjusted as required by changes made from time to time and a copy of the written description and map shall be retained in the office of the Municipal Clerk.

Section 2-103 Town Seal

The Town shall maintain and keep at Town Hall a Town Seal bearing "The Town of Kiawah Island, S.C." which shall be used to authenticate all Ordinances, Resolutions and Minutes.

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CHAPTER 2

MUNICIPAL COUNCIL

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CHAPTER 2

MUNICIPAL COUNCIL

Section 2-201 Composition and Election

The municipal Council of the Town of Kiawah Island shall be composed of a Mayor and four Council members who shall be qualified electors and shall be elected at large for two (2) year terms of office. A majority of the Council shall constitute a quorum for the purpose of transacting Council business.

State Law Reference: South Carolina Code, 1976, as amended, Section 5-9-20.

Section 2-202 Powers Vested in Council

Except as otherwise provided by law, all powers of the Town to include all legislative powers and the determination of all matters of policy shall be vested in the Council, and the Council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the Town by law. Each member of Council, including the Mayor, shall have one vote.

State Law Reference: South Carolina Code, 1976, as amended, Sections 5-7-10, et seq.

Section 2-203 Duties and Responsibilities of Council

Consistent with the powers, duties and responsibilities conferred by state law, the Council shall:

- (1) Have all powers not otherwise provided by law;
- (2) Establish departments and prescribe functions;
- (3) May employ an administrator to assist Mayor;
- (4) Investigate departments;
- (5) Appoint treasurer, clerk, attorney and judge;
- (6) Elect mayor pro tempore; and
- (7) Adopt a balanced budget.

State Law Reference: South Carolina Code, 1976, as amended, Sections 5-7-160, 5-9-40, 5-7-100, 5-7-220, 5-7-230, 5-7-190, 5-7-260 and the South Carolina Constitution, Article X, Section 7.

Section 2-204 Duties and Responsibilities of the Mayor

- (1) Preside over meetings and call special meetings;
- (2) Designate temporary judge;
- (3) Act as chief administrative officer;
- (4) Appoint and remove employees pursuant to personnel policies adopted by Council;
- (5) Supervise departments;
- (6) Act and vote as member of council;
- (7) Insure faithful execution of laws;
- (8) Prepare and submit budget to council;
- (9) Make annual financial report to public and council; and
- (10) Report to council on operation of departments.

State Law Reference: South Carolina Code, 1976, as amended, Sections 5-9-30, 5-7-250, and 14-25-25.

Section 2-205 Mayor Pro Tempore

- (1) After any general election for Council, the Council shall, at the first meeting of the newly constituted Council, elect from its membership a Mayor Pro Tempore to serve for a term of not more than two (2) years.
- (2) The Mayor Pro Tempore shall act as Mayor during the absence or disability of the Mayor. If a vacancy occurs in the office of Mayor, the Mayor Pro Tempore shall serve until a successor is elected.
- (3) In the event of the sickness or temporary absence of the Mayor Pro Tempore, while acting as Mayor, the Council Members present shall elect a presiding officer. In the event of the resignation or permanent absence of the Mayor Pro Tempore, the Mayor and Council shall elect a Council member to serve as Mayor Pro Tempore until the next Council election.

State Law Reference: South Carolina Code, 1976, as amended, Section 5-7-190.

Section 2-206 Compensation and Expenses

(1) The Mayor and Council members shall receive salaries as determined by the Council and fixed by ordinance from time to time; provided, no increase in such salaries shall become effective until the commencement date of the terms of two (2) or more members of Council elected at the next general election following the adoption of the ordinance setting the salaries, at which time it will become effective for all members of Council whether or not they were elected in such election.

(2) The Mayor and Council members shall be reimbursed for expenses incurred and documented in the performance of their official duties. An expense form detailing each expenditure shall be submitted to the Town Treasurer with receipts attached. Travel mileage in personal vehicles shall be reimbursed at the prevailing Federal government reimbursement rate. Reasonable cash advances can be conferred based on estimated travel expenses.

State Law Reference: South Carolina Code, 1976, as amended, Section 5-7-170.

Section 2-207 Oath of Office

The Mayor and members of Council, before entering upon the duties of their respective offices shall take the following oath of office:

"I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of the State of South Carolina, to exercise the duties of the office to which I have been elected and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States."

"As (Mayor/member of Council) of the Town of Kiawah Island, South Carolina, I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect according to law the purpose for which I have been elected. So help me God."

State Law Reference: South Carolina Code, 1976, as amended, Section 5-15-150.

Section 2-208 Emergency Powers of Mayor

(1) Upon the probable happening of any one or more of the following events, to wit:

- (a) the formation of any unruly mob;
- (b) the existence of a state of war, whether declared or not, or of any insurrection;
- (c) the occurring of any tornado, hurricane, cyclone, major fire, earthquake, flood, or any other act of God or force which disrupts or threatens to disrupt the normal activities of the community;
- (d) the occurrence of multiple acts of arson or of any acts which unduly alarm and/or threaten the public; and/or
- (e) the occurrence of a nuclear accident;
- (f) any other threatening event designated as an emergency by Council.

The Mayor, or in his absence, the Mayor Pro Tem, may declare a state of emergency to exist within the corporate limits of the Town. The state of emergency shall be declared by proclamation signed by the Mayor and posted on the Town's official bulletin board(s) and shall be legally effective immediately upon posting. The proclamation shall be in substantially the following language:

"It has been determined that (*here state the event giving rise to the emergency*) has occurred within the corporate limits of the Town of Kiawah Island, South Carolina, and that, accordingly, a state of emergency does, in fact, exist. I, therefore, proclaim a state of emergency and invoke the provisions of the Municipal Code of Ordinances, Article 2, Section 2-208, Emergency Powers of Mayor."

(2) In the event a state of emergency is declared by the Mayor (or Mayor Pro Tem) under the provisions of Subsection (1) hereof, the Mayor or Mayor Pro Tem shall become vested with the following extraordinary powers, which may be exercised at the discretion of that official:

- (a) to establish curfew to be effective within the corporate limits;
- (b) to prohibit the sale of gasoline, explosives,

dynamite, and/or any other type of inflammable or explosive materials, firearms, or any other materials or supplies or any component parts thereof which could readily be utilized as weapons;

- (c) to mobilize and deputize the emergency safety task force under the command of the Mayor (or Mayor Pro Tem);
- (d) to disperse assemblies or congregations of people;
- (e) to suspend issuance of permits;
- (f) to order evacuation of the Town;
- (g) to designate off limit areas;
- (h) to commandeer boats and vehicles; and/or
- (i) to restrict trade/commerce (tourism).

State Law Reference: South Carolina Code, 1976, as amended, Sections 5-9-30 and 5-7-250.

Section 2-209 Miscellaneous Powers of Mayor

The Mayor is authorized to negotiate and enter into agreements, subject to ratification of Town Council, with other jurisdictions for the initiation and/or the continuance of public services for the Town of Kiawah Island. These services shall include, but shall not be limited to, the following:

- (a) police protection
- (b) fire protection
- (c) planning and zoning review services

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CHAPTER 3

MEETINGS OF COUNCIL AND RULES OF PROCEDURE;
ORDINANCES AND RESOLUTIONS

Section	2-301	Quorum and Rules of Order
Section	2-302	Agenda
Section	2-303	Meetings of Council ¹
Section	2-304	Executive Sessions
Section	2-305	Voting Requirements
Section	2-306	Motions
Section	2-307	Minutes of Meetings
Section	2-308	Appearance of Citizens ²
Section	2-309	Attorney to Attend; Parliamentarian; Duties
Section	2-310	Clerk to Attend; Duties
Section	2-311	Ordinance Required
Section	2-312	Form of Ordinances and Resolutions
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Section	2-316	Adoption of Resolutions
Section	2-317	Codification of Ordinances

¹ Amended by Ordinance 2003-1. Effective 6-10-03.

² Amended by Ordinance 99-7. Effective 6-8-99.

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CHAPTER 3

**MEETINGS OF COUNCIL AND RULES OF PROCEDURE;
ORDINANCES AND RESOLUTIONS**

Section 2-301 Quorum and Rules of Order

- (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 the 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) Except as otherwise required by state law or this code, all proceedings shall be governed by Robert's Rules of Order, Newly Revised Edition, and the Town Attorney shall act as parliamentarian. Questions of order shall be decided by the Mayor without debate, subject to appeal to the Council.

Section 2-302 Agenda

Matters to be considered by Council at a regular or special meeting shall be placed on a written agenda publicly posted by the Town Clerk at least twenty-four (24) hours prior to the meeting. The deadline for agenda item requests is three full working days prior to the meeting. Matters not on the agenda may be considered upon request of a member unless two members object.

Section 2-303 Meetings of Council¹

- (A) Regular meetings of Council shall be held on the second Tuesday of each month in the Council Chambers unless changed by majority vote of members present at any regular or special meeting. At the beginning of each calendar year, the Council shall publish a schedule of regular meetings and meeting times shall be published for public review.
- (B) Special meetings of Council may be held on the call of the Mayor or a majority of members of Council. The Town Clerk

¹ Amended by Ordinance 2003-1. Effective 6-10-03.

shall at least twenty-four 24 hours prior to a special meeting post notice and agenda on the bulletin board and give notice to all available members of Council, persons, organizations, and news media which request notification.

- (C) All regular and special meetings of Council shall be open to the public.

Section 2-304 Executive Sessions

- (A) By majority vote in a public meeting, Council may hold an executive session as permitted by the South Carolina Freedom of Information Act, SC Code 30-4-70, as amended. The reason for holding an executive session must be stated.
- (B) No vote or formal action shall be taken in executive session.
- (C) Minutes of executive sessions shall not be taken unless required by majority vote of Council. Minutes of executive sessions shall not be public records.
- (D) It shall be unlawful for a member of Council or person in attendance to disclose to another person or make public the substance of a matter discussed in executive session.

Section 2-305 Voting Requirements

- (A) All actions of Council shall be by majority vote of members present 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. No proxy, mail, telephonic, facsimile, electronic or absentee vote may be cast.
- (B) Every member of Council present, including the Mayor or presiding member, shall vote on every question except when required to refrain from voting by State law.
- (C) A roll call vote may be required by any member of Council.
- (D) The vote on every question shall be recorded in the minutes.
- (E) No member of Council may leave the Council Chamber while in public session without the permission of the presiding officer.
- (F) Any member may have his reasons for voting for or against any questions recorded in the minutes of the meeting by gaining

recognition by the presiding officer immediately following the vote and then briefly stating his reasons.

Section 2-306 Motions

- (A) A motion may be made orally or in writing; however, a motion shall be reduced to writing at the request of any member of Council.
- (B) A motion to reconsider must be made by a member who voted with the majority, and it must be made at the same or next succeeding meeting.
- (C) A substitute motion may be made only for purposes of restating and clarifying a pending motion and amendments; it may not be used to introduce a new or alternative proposal.

Section 2-307 Minutes of Meetings

The Town Clerk shall keep minutes of all public meetings which shall be a matter of permanent public record. At each regular Council meeting, the minutes of the previous meeting must be presented for approval. Minutes do not constitute the official record of a meeting until approved by Council. A member of Council may place a written expression of position on a matter in the minutes not later than the next regular meeting.

Section 2-308 Appearance of Citizens²

Any citizen of the municipality may speak at a regular meeting on a matter pertaining to municipal services and operation, except personnel matters. No more than thirty (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.

- (A) Persons wishing to make formal reports or requests to Council shall so notify the Town Clerk no later than three full working days prior to the Council meeting and shall provide the Town Clerk with a written copy of such report or request to be made to Council. The Town Clerk shall add all such citizen presentations to the formal agenda of the Council meeting.
- (B) All persons wishing to make informal reports and comments or

² Amended by Ordinance 99-7. Effective 6-8-99.

ask questions shall be recognized in accordance with the following priority of order:

- (1) persons who have notified the Town Clerk prior to the meeting of their desire to speak;
- (2) all other persons indicating a desire to speak; and
- (3) all other persons indicating a desire to ask a question shall be recognized during a Citizen's Comments and Questions period after all official business has been completed but prior to adjournment.

Each speaker shall be limited to five (5) minutes.

Section 2-309 Attorney to Attend; Parliamentarian; Duties

The Town Attorney shall attend all meetings of Council unless excused by Council. The attorney shall act as parliamentarian, review all ordinances, resolutions and documents presented to Council and give opinions on questions of procedure, form, and law to members of Council.

Section 2-310 Clerk to Attend; Duties

The Town Clerk is ex officio Clerk of Council. The Clerk shall give notices of meetings, post agenda, attend regular and special meetings, record votes of Council, keep minutes of Council meetings, and perform such other duties as may be assigned.

Section 2-311 Ordinance Required

- (A) Council shall act by ordinance in all matters required by law to be done by ordinance, including:
- (1) adopt or amend an administrative code or code of ordinances, establish, alter or abolish any municipal department, office or agency;
 - (2) provide for a fine or other penalty or establish a rule or regulation in which a fine or other penalty is imposed for violation;
 - (3) appropriate funds and adopt a budget;
 - (4) grant, renew, extend or amend franchises, licenses or rights in public streets or public property, and close abandoned streets after public newspaper notice and public hearing;

- (5) levy taxes, assess property for improvements or establish service charges for services;
 - (6) extend the corporate boundaries of the Town by annexation;
 - (7) convey or lease or authorize the conveyance or lease of any lands of the municipality;
 - (8) authorize the borrowing of money or the issuance of bonds; and,
 - (9) amend or repeal any ordinance.
- (B) In all other matters, Council may act either by ordinance or resolution, written or oral, recorded in the minutes.

Section 2-312 Form of Ordinances and Resolutions

- (A) Every proposed ordinance shall be introduced in writing in the form required for final adoption which shall include:
- (1) a title briefly describing the content;
 - (2) a preamble, if appropriate, citing findings, reasons, or basis for the ordinance or resolution, if desired and appropriate;
 - (3) an enacting clause which shall be styled as follows: "Be it Ordered and Ordained by the Town of Kiawah Island, South Carolina, and it is Ordained by Authority of Said Council."
 - (4) the provisions of the ordinance including section numbers if the ordinance is to be codified or amend an existing codified ordinance;
 - (5) citation of any ordinance repealed;
 - (6) the effective date of the ordinance;
 - (7) the approval of the Town Attorney as to form and the assignment of an ordinance number, as for example, 90-001;
 - (8) space for dates of readings and public hearing, if

appropriate; and

- (9) space for the signatures of the Mayor or presiding member of Council and the Town Clerk attesting notice, if required, and certifying enactment/adoption.

(B) Written resolutions may be in similar form approved by the Town Attorney.

Section 2-313 Introduction of Ordinances

An ordinance may be proposed by any member of Council, to include the Mayor. A proposed ordinance shall be referred to the Town Attorney for approval as to form. If requested, the Town Attorney shall render assistance in the preparation of required notices, if any, and in drafting ordinances. After an ordinance is in proper form, the Town Attorney shall send the ordinance to the Town Clerk to be held for public inspection. An ordinance is considered to be introduced when it appears on an agenda, or is added to an agenda, for a public meeting of Council and its title is read; provided, however, that any member of Council may request a full reading of a proposed ordinance at its introduction and first reading.

Section 2-314 Enactment of Ordinances

- (A) An ordinance must be prepared in writing and introduced in the form required for final adoption as required in Section 2-313.
- (B) No ordinance may be adopted until it has been read two times and on separate days with at least six days between each reading.
- (C) An emergency ordinance may be adopted on one reading without notice or hearing by affirmative vote of two-thirds of members present. An emergency ordinance may not levy taxes, relate to a franchise or a service rates, and will expire automatically on the sixty-first day following enactment.
- (D) The introduction and reading of any ordinance shall be by the reading of the title only unless full reading is requested by a member of Council.
- (E) After the introduction of an ordinance, a member of Council

may request a public hearing which may be held if approved by a majority of Council present and set for a time prior to final adoption of the ordinance. A public hearing may be held on the same date as the final reading.

- (F) Any ordinance may be amended on final reading; provided, however, that the amendment does not constitute a substantive change to the intent of the ordinance.
- (G) Upon final adoption by vote of Council, an ordinance shall be signed by the Mayor or presiding member of Council and attested by the Town Clerk, who shall file the original with the minutes in the permanent public records.
- (H) If a proposed ordinance does not receive the required two (2) readings within a twelve (12) month time period, from the date of introduction, it shall automatically be tabled and no further action may be taken on the proposed ordinance.

Section 2-315 Introduction of Resolutions

A voice motion is considered to be the introduction of an oral resolution which requires no written record other than a notation in the minutes of the meeting. A resolution proposed in writing shall be introduced in the same manner as an ordinance.

Section 2-316 Adoption of Resolutions

Written resolutions may be adopted on one reading unless a public hearing is set by majority vote of Council members present.

Section 2-317 Codification of Ordinances

- (A) All ordinances shall be codified and updated annually in a looseleaf Code of Ordinances, except those adopted by reference and maintained in separate volumes, and copies shall be available for public inspection and purchase at reasonable cost.
- (B) Any standard code of technical regulations, business license ordinance and rate schedule, and state traffic regulations adopted by Council may be cited in this Code by reference

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CHAPTER 4

COMMITTEES

Section 2-401	Ways and Means Committee ¹
Section 2-402	Committees of Council
Section 2-403	Areas of Responsibility for Council Members
Section 2-404	Creation of Special Committees
Section 2-405	Hearings by Committee
Section 2-406	Notice and Minutes of Committee Meetings
Section 2-407	Removal of Committee members
Section 2-408	Accommodations Tax Advisory Committee

¹ Amended by Ordinance 2009-3. Effective 2-3-09.

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CHAPTER 4

COMMITTEES

Section 2-401 Ways and Means Committee¹

(A)

As soon as practicable after the Council members have been sworn in and have taken their seats, A Ways and Means Committee, consisting of at least two (2) members of Council and the Mayor, shall be appointed.²

(B) The Mayor shall designate the chairman of the Ways and Means Committee.

(C) Unless otherwise directed by Council, the Ways and Means Committee shall have oversight responsibility over matters pertaining to the following general subjects:

(1) Budget and finance, revenue, audits, business license, accommodations tax, contracts and procurement.³

Section 2-402 Committees of Council

The Mayor and Council may establish other standing committees of Council as deemed necessary. The Mayor and Council shall also establish rules concerning these committees.

Section 2-403 Areas of Responsibility for Council Members

The Mayor shall assign each Council Member an area or areas of responsibility. It shall be the responsibility of each member to keep the Mayor and Council informed of policy matters and legislation within the areas of responsibility.

¹ Amended by Ordinance 2009-3. Effective 02-03-09.

² Amended by Ordinance 2009-3. Effective 02-03-09.

³ Amended by Ordinance 2009-3. Effective 02-03-09.

Section 2-404 Creation of Special Committees

Town Council shall have the authority, in its sole discretion, to establish from time to time special committees with limited purposes and durations. Appointed committee members may be subject to term limits, as specified by Council.

Section 2-405 Hearings by Committee

Council may appoint a special committee to assist in or hold a public hearing for Council at any time upon any matter pending before it. Minutes or reports of hearings held by a special committee shall be filed with the Town Clerk as a public record.

Section 2-406 Notice and Minutes of Committee Meetings

All meetings of committees, subcommittees, boards, commissions, etc., of the Town shall be conducted in accordance with the South Carolina Freedom of Information Act, as amended. All information relative to the operation and conduct of the Town of Kiawah Island shall be available to the public in accordance with the provisions of said Act.

Section 2-407 Removal of Committee Members

Council may remove any member appointed to any Town committee, board, commission, etc., for misconduct or nonperformance of duty, after written notice and opportunity to be heard; provided, however, the Town shall comply with any other statutory requirements.

Section 2-408 Accommodations Tax Advisory Committee

An Accommodations Tax Advisory Committee shall be appointed and approved by Council pursuant to Sections 6-4-5, et seq. of the South Carolina Code Annotated, 1976, as amended.

- (1) Membership. The Accommodations Tax Advisory Committee shall be composed of seven (7) members. Four (4) members shall be selected from the hospitality industry of the municipality. One (1) member shall represent the cultural organizations of the Town. Members shall be appointed by Town Council and shall serve for a term of one (1) year; provided that upon the creation of a vacancy on the Committee, the replacement member shall fill the unexpired term of

the member he has replaced. The Chairman of the Ways and Means Committee and the Town Treasurer shall act as staff members to the Accommodations Tax Advisory Committee and shall have voice but no vote.

- (2) Powers and Duties. The Accommodations Tax Advisory Committee shall be an advisory committee to Town Council, and shall make recommendations to Town Council concerning the expenditure of revenues received by the Town which have been generated from the accommodations tax, consistent with the requirements of Section 6-4-10 of the South Carolina Code of Laws, as amended. The Committee shall elect a chairman and secretary from its membership, shall make such rules as are necessary to perform its designated function, shall advertise its meetings by placing a notice on the official Town bulletin board at least seven (7) days prior to each meeting, shall keep minutes of all meetings, and shall meet as often as necessary to perform its designated function, but no less than once per year. Upon request by Town Council, the Committee shall meet to consider and make recommendations concerning any matter within its purview, as set forth above.

- (3) Compensation. Members shall serve without compensation.

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CHAPTER 5

OFFICES AND DEPARTMENTS

Section 2-501	Establishment of Offices and Departments
Section 2-502	Term of Office; Compensation
Section 2-503	Town Clerk
Section 2-504	Town Attorney
Section 2-505	Town Treasurer

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CHAPTER 5

OFFICES AND DEPARTMENTS

Section 2-501 Establishment of Offices and Departments

The Council may create and establish Town offices, departments, agencies, boards and commissions and prescribe their duties and functions. Council may hire an administrator to assist it.

Section 2-502 Term of Office; Compensation

The term of office for appointed Town officers and the term of employment for employees shall be at the pleasure of Council. Appointed officers and employees shall receive such compensation as the Council may determine from time to time.

Section 2-503 Town Clerk

(1) At the first regular meeting of the Council following the inauguration meeting, the Council shall appoint an officer to be known as the Town Clerk, who shall hold office at the pleasure of Council or until a successor is duly appointed and qualified.

(2) The Town Clerk shall perform the following duties:

- (a) give notice to the members of the council of regular and special meetings of the council;
- (b) attend all meetings of the council, keep minutes of the proceedings of the council, and maintain the minutes in a book to be known as "The Minutes of the Meetings of the Town Council of the Town of Kiawah Island, South Carolina;"
- (c) have custody of the seal of the town; and,
- (d) schedule the use of public buildings.

(3) The Town Clerk shall act as secretary for the Mayor and Council. As such, the Town Clerk must have sound secretarial skills.

(4) The Town Clerk shall handle other clerical duties as required by the Mayor or Council.

(5) Perform such other duties as may be required by the Council.

State Law Reference: South Carolina Code, 1976, as amended, Section 5-7-220.

Section 2-504 Town Attorney

(1) At the first regular meeting of the Council following the inauguration meeting, the Council shall appoint an officer to be known as the Town attorney, who shall hold office at the pleasure of Council or until a successor is duly appointed and qualified.

(2) The Town attorney must be a member of the South Carolina Bar and be admitted to practice law in South Carolina.

(3) It shall be the duty of the Town attorney whenever called upon by Council, or the necessity arises, to give his advice and direction to the Council, or any member thereof, or to the Town Clerk on any and all legal questions which may arise in the course of the administration of the Town government, or in the discharge of the duties of their respective offices; and whenever required to do so by the Council, he shall give his legal opinion in writing. He shall draw or supervise the drawing or drafting of all ordinances, and other instruments of writing relative to the business of the Town when required to do so by the Council or any member thereof; and shall, whenever notified to do so, attend the meetings of the Council and shall perform such other duties as required by the Council. The Town attorney shall receive such compensation for the discharge of his duties as fixed by the Council.

State Law Reference: South Carolina Code, 1976, as amended, Section 5-7-230.

Section 2-505 Town Treasurer

(1) At the first regular meeting of the Council following the inauguration meeting, the Council shall appoint an officer to be known as the Town Treasurer, who shall hold office at the pleasure of Council or until a successor is duly appointed and

qualified.

(2) Before entering upon the duties of office, the Town Treasurer shall enter into a bond in such sum as shall be approved by the Council for the faithful performance of the duties of the office.

(3) The Town Treasurer shall perform the following duties:

- (a) collect all claims and accounts that may be due and payable to the Town;
- (b) receive all money belonging to the Town;
- (c) issue all licenses and badges for which provision may be made and collect all fees for licenses that may be imposed;
- (d) pay all bills owed by the Town when approved by Council;
- (e) deposit funds in banks as designated by Council;
- (f) make statements as to the financial condition of the Town as ordered by the Council;
- (g) keep account of all money and accounts and inventories of Town property, real and personal, and report to Council as requested;
- (h) maintain a record of all Town capital assets;
- (i) prepare Town budget as requested by the Town; and,
- (k) perform such other duties as may be required by the council.

State Law Reference: South Carolina Code, 1976, as amended, Section 5-9-40.