

AN ORDINANCE TO AMEND CHAPTER 32, BOARDS AND COMMISSIONS, AND CHAPTER 154, TOWN MUNICIPAL PARK, SUBSECTION 154.010, MUNICIPAL PARK BOARD; TO INCLUDE PROVISIONS FOR BOARD, COMMISSION, OR COMMITTEE MEMBERS TO BE REMOVED BY THE TOWN COUNCIL.

WHEREAS, the Council has the authority to appoint members to any of the boards, commissions, or committees the town has defined in the Town of Awendaw's Code of Ordinances;

WHEREAS, the Council also has the authority to remove any appointed member for cause that is not outlined in the current code;

WHEREAS, the Council desires to clearly define the process to remove an appointed member from any board, commission, or committee.

NOW, THEREFORE, be it Ordered and Ordained by the Council of the Town of Awendaw, S. C. that Chapter 32: Boards and Commissions, and Chapter 154, Town Municipal Park of the Code of the Town of Awendaw, South Carolina, shall be amended as follows:

Section 32.01 Planning Commission.

(A) The Town Planning Commission originally established by Ordinance No. 02-02, passed 1-7-2002, and as amended by Ordinance passed 9-6-2002, as authorized under S.C. Code §§ 6-29-310 et seq., is hereby and shall be reconstituted and amended as provided herein. The Planning Commission shall comply with the duties, functions, procedures, and funding as set forth in S.C. Code §§ 6-29-330 through 6-29-380, and the town's zoning code and land development regulations ordinance and amendments thereto as if set forth herein verbatim and incorporated herein by this reference.

(B) The Planning Commission shall be comprised of five citizens who are residents of the town with each member's term commencing at the beginning of the town's fiscal year.

(1) Citizens who wish to serve must submit applications when the nomination window is open on a bi-annual basis or as seats open.

(2) Applications shall be reviewed and approved by and are subject to the approval of Town Council.

(C) The Planning Commission shall elect a chair and vice chair from its membership for a period of one year at its first meeting of the fiscal year.

(D) The Planning Commission shall adopt rules of procedure at its first meeting of the fiscal year.

(E) The Planning Commission meets the third Monday of the month at 6:00 p.m. if there is a specific need or request. If a meeting has been held and business is conducted, the Planning Commission shall meet the following month to approve the minutes from the previous meeting. If a meeting is held solely for the purpose of approving the prior month's meeting minutes, a subsequent meeting the following month is not required and can be included for the next meeting when business is conducted. If there is a meeting, notices are sent to the local newspaper as required and posted at Town Hall and on the town website on the town calendar.

(F) Meetings shall be conducted in accordance with the Freedom of Information Act (FOIA) requirements in all respects, including but not limited to notice, procedures, minutes, and public records.

(G) The term for the Planning Commission members shall be for two years, provided, however, that upon initial appointment, three seats shall be for two years and two seats shall be for a period of one year. Initial terms shall be established in a random fashion. Thereafter, all terms shall be for a term of two years. The maximum number of consecutive terms a member can serve is three terms of two years each for a total of six years. Vacancies shall be filled in the same manner as initial appointment. Vacant seats filled for a period not exceeding six months shall not count as a full term. Sitting members may serve until a replacement is appointed. **The TOWN COUNCIL may remove a member for cause after written notice and an opportunity for a public hearing. Cause may include, but shall not be limited to, repeated failure to attend commission meetings, misfeasance, malfeasance, and failure to satisfy state-mandated training requirements for planning and zoning officials.**

Section 32.02 Board of Zoning Appeals.

(A) The Town Board of Zoning Appeals, originally established by Resolution No. 90-02, passed 9-8-2009, and as amended by Ordinance passed 9-6-2022, as authorized under S.C. Code §§ 6-29-790 et seq., is hereby and shall be reconstituted and amended as provided herein. The Board of Zoning Appeals shall comply with the duties, functions, procedures, and financing as set forth in S.C. Code §§ 6-29-790 through 6-29-860, and the town's zoning code and land development regulations ordinance and amendments thereto as if set forth herein verbatim and incorporated herein by this reference.

(B) The Board of Zoning Appeals shall be comprised of five citizens who are residents of the town with each member's term commencing at the beginning of the town's fiscal year.

(1) Citizens who wish to serve must submit applications when the nomination window is open on a bi-annual basis or as seats open.

(2) Applications shall be reviewed by and are subject to the approval of Town Council.

(C) The Board of Zoning Appeals shall elect a chair and vice chair from its membership for a period of one year at its first meeting of the fiscal year.

(D) The Board of Zoning Appeals shall adopt rules of procedure at its first meeting of the fiscal year.

(E) The Board of Zoning Appeals meets the first Monday of the month at 6:00 p.m. if there is a specific need or request. If a meeting has been held and business is conducted, the Board of Zoning Appeals shall meet the following month to approve the minutes from the previous meeting. If a meeting is held solely for the purpose of approving the prior month's meeting minutes, a subsequent meeting the following month is not required and can be included for the next meeting when business is conducted. If there is a meeting, notices are sent to the local newspaper as required and posted at Town Hall and on the town website on the town calendar.

(F) Meetings shall be conducted in accordance with the Freedom of Information Act (FOIA) requirements in all respects, including but not limited to notice, procedures, minutes, and public records.

(G) The term for the members shall be for two years, provided, however, that upon initial appointment, three seats shall be for two years and two seats shall be for a period of one year. Initial terms shall be established in a random fashion. Thereafter, all terms shall be for a term of two years. The maximum number of consecutive terms a member can serve is three terms of two years each for a total of six years. Vacancies shall be filled in the same manner as initial appointment. Vacant seats filled for a period not exceeding six months shall not count as a full term. Sitting members may serve until a replacement is appointed. **The TOWN COUNCIL may remove a member for cause after written notice and an opportunity for a public hearing. Cause may include, but shall not be limited to, repeated failure to attend commission meetings, misfeasance, malfeasance, and failure to satisfy state-mandated training requirements for planning and zoning officials.**

Section 154.010 Town of Awendaw Municipal Park Foundation Board.

(A) The Town of Awendaw Municipal Park Foundation Board (the "Board") shall serve as the official advocate for recreational and program services within the park. Its responsibilities include recommending appropriate activities, programs, events, and facility development consistent with this chapter.

(B) Membership; Term of Office; Compensation; Secretary.

(1) The Board shall be composed of **9** ~~7~~ members, with each member's term commencing at the start of the Town's fiscal year.

(2) Citizens wishing to serve must submit applications during an open nomination period held bi-annually or as seats become available.

(3) Applications shall be reviewed and approved by Town Council.

(4) The Board shall elect a chairperson and vice chairperson from its membership for a one-year term at the first meeting of each fiscal year.

(5) The Board shall adopt rules of procedure at its first meeting of the fiscal year.

(6) The Board shall meet on the second Tuesday of the month at 6:00 pm, or otherwise as needed. If a meeting has been held and business is conducted, the Municipal Park Foundation Board shall meet the following month to approve the minutes from the previous meeting. If a meeting is held solely for the purpose of approving the prior month's meeting minutes, a subsequent meeting the following month is not required and can be included for the next meeting when business is conducted.

If a meeting is held, notices shall be published as required by law, posted at Town Hall, and placed on the Town's website.

(7) Meetings shall comply with all South Carolina Freedom of Information Act (FOIA) requirements, including notice, procedures, minutes, and public records.

(8) The term for each Board member shall be two years. However, upon initial appointment, five seats shall be for two years and four seats shall be for one year, established randomly. Thereafter, all terms shall be two years. Members may serve a maximum of three consecutive two-year terms. Vacancies shall be filled in the same manner as initial appointments. Vacant seats filled for six months or less shall not count as a full term. ~~Members may serve until a replacement is appointed.~~ **Members shall serve at the pleasure of Council and may be removed by a majority vote of Town Council prior to the expiration of the member's term.**

(9) No member of the Board shall receive financial compensation for their service.

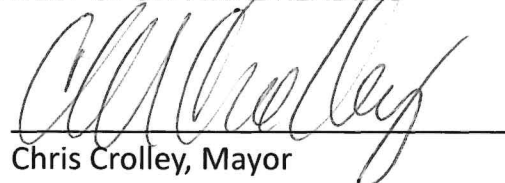
(10) A member of the Board or a Town staff member designated by the Town Administrator shall serve as secretary, responsible for recording and submitting minutes to the Town Council in a timely manner.

(C) Duties and Responsibilities.

The duties and responsibilities of the Board shall include:

- (1) Proposing an annual budget for adoption by Town Council;
- (2) Coordinating and facilitating park programs, activities, and events, including establishing policies, procedures, and permits as needed. This may involve working with independent contractors;
- (3) Recommending to Council any procurements, contracts, or improvements regarding park programs, activities, events, and facilities maintenance;
- (4) Coordinating with the County Greenbelt Advisory Board staff regarding all matters involving greenbelt conditions and restrictions;
- (5) Recommending to Council the adoption of an official Conceptual Master Plan for the park and any necessary revisions, and implementing the same;
- (6) Proposing and overseeing a maintenance plan for the park's grounds and facilities;
- (7) Coordinating with the Planning Commission and appropriate Town staff regarding a capital improvements plan;
- (8) Providing input on acquiring and maintaining physical improvements and equipment necessary for park operations, and recommending rules and regulations for park use, including hours of operation and standards of conduct;
- (9) Recommending to Council the rates and fees for all park programs, events, and activities;
- (10) Collaborating with Town staff to establish guidelines governing the use of sites and facilities to ensure effective operation, maintenance, and security; and
- (11) Delivering a quarterly report to Town Council on the Board's activities.

THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING


Chris Crolley, Mayor

Town of Awendaw

First reading: January 8, 2026

Second and Final Reading: February 5, 2026

Kell Watli

~~Town Administrator~~
Katharine E. Watkins
Town Administrator