1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. AGENDA APPROVAL

4. MINUTES APPROVAL July 16, 2016

5. BUSINESS (Public Hearing held on business items July 16, 2015)
   1. Amend Article IV, Section 17-409 regarding Fences and Hedges
   2. Article 111, Section 17.396.41 of the Town's Zoning Ordinance regarding Water tower/public utilities.
   3. Amend Article I, Section 17-008 to establish law on permitted listed uses vs. uses not specifically listed.
   4. Amend Article II, Section 17-221 to clarify quorum as applies to commission
      (Debra Herrmann, Town Clerk)

6. DISCUSSION ITEM(S) –
   Any other matter of concern to be discussed by the Planning Commission

7. PUBLIC COMMENTS – GENERAL

8. COMMISSION COMMENTS

9. ADJOURNMENT
1. CALL TO ORDER. Chairman Pruitt called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Pruitt, Vice Chairman Abrams and members Crone, Elliott, Johnson, Lauer, and Lowery. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

2. PLEDGE OF ALLEGIANCE. Chairman Pruitt led the Pledge of Allegiance.

3. AGENDA APPROVAL. Ms. Lowery moved the agenda as presented. Ms. Elliott seconded. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Mr. Lauer moved to approve the 2015 meeting minutes as submitted. Ms. Elliott seconded. All voted in favor. MOTION CARRIED.

5. DIRECTOR'S REPORT. Ms. Morris presented her report, a copy of which is on file in the planning office. Mr. Elliott asked how many vacant lots were in the town. Ms. Morris said over 500 lots were vacant.

6. PUBLIC HEARING

Chairman Pruitt opened the public hearing at 6:04 p.m. and offered the public opportunities to speak on each specific item.

- Article IV, Section 17-409 regarding fences and hedges. There were no public comments.
- Article III; Section 17-396-41 Water Tower/Public Utilities. There were no public comments.
- Article I, Section 17-008 Permitted Use versus Uses not Specifically Listed. There were no public comments.
- Article II, Section 17-22 to Clarify Quorum as applies to Commission. There were no public comments.

Chairman Pruitt called again for public comments on either of these topics. There being none, he closed the public hearing at 6:05 p.m.

7. DISCUSSION

- Article IV, Section 17-409 regarding fences and hedges.

Ms. Abrams referred to Section B, Residential Fencing, and said in B (1) the word "required" should be removed and in B (3) the measurement should be 4-feet for the sake of consistency. Her interpretation of the code is that she could have a solid 4-foot fence in her front yard. She did not like that idea. Ms. Morris said one purpose was to eliminate the solid wall look which would prohibit stormwater from passing through. Ms. Abrams was correct in that the code did not prohibit a solid wall. Mr. Abrams said she would like to see that portion amended to prohibit solid walls in the front yard. Ms. Elliott asked if fencing had always been allowed in the front yard. Ms. Morris said yes. A 4-foot fence would not obstruct vision. Ms. Elliott agreed with Mr. Abrams that solid front yard fences should be prohibited. Ms. Lowery said it would be difficult for water to pass through a solid fence. She did not like having a solid front fence. Mr. Pruitt asked if the commission concurred to change 48-inches to 4-feet and to prohibit solid fences in the front yards. COMMISSION CONCURRED.
Ms. Crone asked who would be responsible for cutting overgrown vegetation blocking line of site at an intersection. Ms. Morris said public works, if the vegetation is in the right-of-way; it would be addressed by the code enforcement officer if it is a line-of-sight issue.

Ms. Lowery asked if number A (8) "Solid walls (excluding retaining walls as required for stormwater drainage) shall be prohibited," would address front yard walls. Mr. Lauer said he was having difficulty differentiating between walls and fences. Ms. Morris said wall will be prohibited completely, because of stormwater drainage. Ms. Mabry said solid fences should not be universally prohibited. Ms. Morris said right, some owners want privacy fencing around the sides and rear of their property.

Chairman Pruitt asked who determines the front yard, particularly on lots that front two streets. Ms. Morris said the planning commission established that year a... The front yard is determined by the street address.

Ms. Abrams believed B (2) should be changed to prohibit solid fencing in front yards. Mr. Lauer agreed, because of the CPTED. He believed it would play a through fence. COMMISSION CONCURRED.

Ms. Crone referred to A (10) and asked who determines whether a fence is dilapidated or in a dangerous condition. Ms. Morris said she or the code enforcement officer; the code guided some stipulations such as noticeably leaning, missing slat... Some men support overgrowth of vine or vines.

Chairman Pruitt said the commission... on wording prohibiting privacy fencing in the front yards. He, however, believed the pie should a... a 10-foot fence that is solid brick, if they want. The police seethed to your... considered a safety issue, but it also less private.

Article III, Section 17-386-41 Water Tower/Public Utilities.

Ms. Abrams said section should be... "The architectural scale, design, and landscaping for station shall be consistent with other development in the area and shall be... The property, or the equivalent. Ms. Morris said it should state "and the substation shall be fully enclosed." Ms. Abrams asked... "Fence round structure shall be required" needed to refer to the fence. Ms. Morris said it should state "minimize..." Ms. Morris asked if the new ordinance would affect the water tower at All Children's Park at 10 Avenue South. Ms. Morris noted that the public hearing items would be presented for a vote at the meeting next month.

10. PUBLIC COMMENTS - General.

There were no public comments.
11. COMMISSION COMMENTS.

There were no commission comments.

12. ADJOURNMENT. Ms. Crone moved to adjourn at 6:25 p.m. M seconded. All voted in favor. MOTION CARRIED.

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: August 4, 2015.

Mikey Pruitt, Chairman

Clerk’s Note: This document constitutes action minutes of the meeting that was digitally recorded, and not intended to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given to you provided you bring a flash drive. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on the entry door at Town Council Chambers and meeting notice was also posted on the Town marquee.
1. SUBJECT: Amend Article IV, Section 17-409 regarding Fences and Hedges

2. FACTS:

The Planning Commission reviewed a proposed change to the fence ordinance in September of 2015. At that time, changes were requested from the Planning Commission and a request for legal advice was recommended. Since that time we have sought the advice of legal council and proposed the enclosed draft amendment to the ordinance.

Changes include:
- Advising a permit is needed for all fences
- Prohibiting solid fencing in front yard
- Instruction on how to measure the height of a fence
- Fire hydrant clearance
- Prohibition of barbed tape, barbed wire, razor wire or similar material (with the exception of the Police)
- No above ground electrical fencing
- No solid walls
- Requiring fences to be maintained
- the division of residential fences vs. commercial fencing
- non-conforming fencing

Staff has prepared DRAFT changes attached, for amendments/changes/corrections by the Planning Commission.
Fences and hedges are permitted in all districts subject to the following standards:

A. **General Standards applying to all fences within the town limits (Residential and Non-residential)**

   1. A permit must be obtained for the construction of any fence.
   2. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. Where the ground elevation differs from one side of the fence to the other, the height of the fence shall be measured from the side with the lowest natural grade.
   3. All parts of the fence (residential or non-residential), including the footings, shall be constructed on private property. In no instance shall a fence or hedge be located within a right-of-way, easement or town property.
   4. No fence or hedge shall be placed or maintained in a manner as to obstruct vision at the intersection of a street in violation of section 17-400 of this article.
   5. No fence shall obstruct free access to any fire hydrant.
   6. Barbed tape, razor wire, barbed wire or similar materials are prohibited within the town except for use by the police department.
   7. No above ground electrical fence shall be permitted within the town limits.
   8. Solid walls (excluding retaining walls as required for stormwater drainage) shall be prohibited. In no case shall a solid wall or fence be permitted in the front yard.
   9. Fences required for pools (residential or non-residential) shall meet all requirements set forth in the current edition of the building code.
   10. All fences shall be maintained free from dilapidated or dangerous conditions. No fence shall be allowed to become or remain in a condition of disrepair including but not limited to noticeably leaning, missing slats, broken supports, and overgrowth of weeds or vines.

B. **Residential Fencing**

   1. Fences and hedges are permitted in any required rear or side yard setback, provided that in no case shall a fence be placed in any required side or rear yard exceed six (6) feet in height; corner lots shall have a maximum height of 6 feet in the rear yard and interior side yard, side yard with street shall have a maximum height of 4 feet.
   2. In any front yard, no fence shall be permitted above four (4) feet in height and shall not be a solid barrier which completely obstructs view.
   3. In any front yard, no hedge or vegetation shall be permitted which materially impedes vision across such yard between the heights of four (4) feet and ten (10) feet.

C. **Non-Residential Fencing**

   1. Fences and hedges shall be permitted in required side or rear yard setback provided that in no case shall a fence exceed seven (7) feet in height. Fences shall not be permitted in front yard.
   2. Non-residential fencing shall not be placed in the front yard of property. If chain link fencing will be utilized, it shall be black plastic coated galvanized chain link fencing with landscaping on the side and rear of property. In addition to the required building permit, fencing material proposed for the use in the Design Overlay District (Article IX) must be
approved by the Planning Director in advance of installation. Wood palisade or lattice is preferred fencing materials.

(3) When chain link fencing is utilized the selvage end of the chain link fence shall be smooth, knuckled endings are permitted, twisted ends are not permitted.

D. **Non-Conforming Fences**

Existing fences that were constructed legally that do not meet the current fencing standards shall be considered a legal non-conforming use. Any alteration, extensions or expansions shall be subject to the limitations of this section.
WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desires to amend the Town’s Zoning Ordinance; and

WHEREAS, Section 17-202 of the Town’s Code of Ordinance allows for amendments to the Zoning Ordinance from time to time when the public utility, convenience, general welfare, or good zoning practice justify such action, at the review and approval by the Planning Commission; and

WHEREAS, the Planning Commission has recommended the amendments after holding a Public Hearing and allowing public input on the proposed amendment.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Town of Surfside Beach Code of Ordinance, Chapter 17 - Zoning Article IV, Section 17-409 be amended as follows:

SECTION 17-409: FENCES AND HEDGES

Fences and hedges are permitted in all districts subject to the following standards:

A. General Standards applying to all fences within the town limits (Residential and Non-residential)

1. None of any fence.
2. Any fence shall be constructed so that the material. The height of the fence shall be measured from the side with the lowest natural grade.
3. All p non-residential), including the footings, shall be constructed so that no instance shall a fence or hedge be located within a right-of-property.
4. No fence or ed or maintained in a manner as to obstruct vision at the intersection of section 17-400 of this article.
5. No fence shall provide access to any fire hydrant.
6. Barbed tape, razor arbed wire or similar materials are prohibited within the town except for use by the police department.
7. No above ground electrical fence shall be permitted within the town limits.
8. Solid walls (excluding retaining walls as required for stormwater drainage) shall be prohibited. In no case shall a solid wall or fence be permitted in the front yard.
9. Fences required for pools (residential or non-residential) shall meet all requirements set forth in the current edition of the building code.
10. All fences shall be maintained free from dilapidated or dangerous conditions. No fence shall be allowed to become or remain in a condition of disrepair including but not limited to noticeably leaning, missing slats, broken supports, and overgrowth of weeds or vines.
B. **Residential Fencing**

1. Fences and hedges are permitted in any required rear or side yard setback, provided that in no case shall a fence be placed in any required side or rear yard exceed six (6) feet in height; corner lots shall have a maximum height of 6 feet in the rear yard and interior side yard, side yard with street shall have a maximum height of 4 feet.

2. In any front yard, no fence shall be permitted above four (4) feet in height and shall not be a solid barrier which completely obstructs view.

3. In any front yard, no hedge or vegetation shall be permitted which materially impedes vision across such yard between the heights of four (4) feet and ten (10) feet.

C. **Non-Residential Fencing**

1. Fences and hedges shall be permitted in required side or rear yard setback provided that in no case shall a fence exceed seven (7) feet in height. Fences shall not be permitted in front yard.

2. Non-residential fencing shall not be placed in the front yard of property. If chain link fencing will be utilized, it shall be black plastic coated galvanized chain link fencing with landscaping on the side and rear of property. In addition to the required building permit, fencing material proposed for the use in the Design Overlay District (Article IX) must be approved by the Planning Director in advance of installation. Wood palisade or lattice is preferred for fencing materials.

3. When chain link fencing is utilized the selvage end of the chain link fence shall be smooth, knuckled endings are permitted, twisted ends are permitted.

D. **Non-Conforming Fences**

Existing fences that were constructed legally that do not meet the current fencing standards shall be considered a legal non-conforming use. Any alteration, extensions or expansions shall be subject to the limitations of this section.

**SEVERABILITY.** If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

**EFFECT OF SE ON HEADINGS.** The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

**REPEAL AND EFFECTIVE DATE.** All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.
BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ___ day of _______2015.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Mark L. Johnson, Town Council

Ralph J. Magliette, Town Council

Robert F. Childs, Town Council

Mary Beth Mabry, Town Council

Randle Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk
1. SUBJECT: Article III, Section 17.396.41 of the Town's Zoning Ordinance regarding Water tower/public utilities.

2. FACTS:

Water tower/public utilities are allowed within the CI (Highway Commercial District). The current ordinance reads as follows:

Sec. 17-396.41. - Water tower/public utilities.

Public utilities, to include water towers and utility substations, are allowed provided that a landscaped strip of not less than twenty-five (25) feet in width is provided and suitably maintained around the facility.

The ordinance as written does not address aesthetics and only requires landscaping of 25 feet in width. After researching the topic as requested by citizens in town, staff recommends amending the ordinance to include a larger landscape buffer and to include aesthetic requirements.

At the July 16, 2015 meeting, an amendment was added to reference "required fencing to commercial section of code". This change has been made.

Staff has prepared DRAFT changes, attached, for amendments/changes/corrections by the Planning Commission.
Sec. 17-396.41 Water tower/public utilities.

Public utilities, to include water towers and utility substations, are allowed subject to the following standards:

a. The architectural scale, design, and landscaping treatment of the substation shall be compatible with other development in the area and shall be fully enclosed as may be necessary to provide compatibility.

b. No storage of vehicles or equipment outside fencing

c. Sites should be selected where topography minimize visual effects to sun-ounding properties

d. A natural landscape buffer of 60 feet shall be required around property (all existing natural vegetation must remain untouched).

e. Fencing around structure shall be required. Fencing shall meet requirements of Section 17-409(c) of this code.
STATE OF SOUTH CAROLINA )
COUNTY OF HORRY )
TOWN OF SURFSIDE BEACH )

AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH
TO AMEND THE TOWN'S CODE OF ORDINANCE
ARTICLE III SECTION 17-396.41 REGARDING WATER
TOWER/PUBLIC UTILITIES

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desires to amend the Town's Zoning Ordinance; and

WHEREAS, Section 17-202 of the Town's Code of Ordinance allows for amendments to the Zoning Ordinance from time to time when the public necessity, convenience, general welfare, or good zoning practice justify such action, and reviewed and approved by the Planning Commission; and

WHEREAS, the Planning Commission has recommended the amendments after holding a Public Hearing and allowing public input on the proposal.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Town of Surfside Beach Code of Ordinance, Chapter 17 - Zoning Article, be amended as follows:

§ 17-396.41 WATER TOWER/PUBLIC UTILITIES:

Public utilities, to include water towers, are allowed subject to the following standards:

a. Landscaping treatment of the substation shall be compatible with other development in the area and shall be fully enclosed as may be necessary to provide compatibility.

b. Fencing

c. To minimize visual effects to surrounding properties

d. A natural landscape buffer of natural vegetation must remain untouched.

e. Fencing around structure shall be required. Fencing shall meet requirements of Section 17-409(c) of this code.

SEVERABILITY provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.
BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this___ day of _______ 2015.

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore
Mark L. Johnson, Town Council
Ralph J. Maglette, Town Council

Robert F. Childs, Town Council
Mary Beth Mabry, Town Council
Randle Stevens, Town Council
Attest:
Debra E. Herrmann, CMC, Town Clerk
1. SUBJECT: Amend Article I, Section 17-008 to establish law on permitted listed uses vs. uses not specifically listed.

2. FACTS:

In order to clarify approved uses within each district of the zoning ordinance, and to ensure that uses permitted in each zoning district are compatible, the town's legal counsel has included the attached working as an amendment to the zoning ordinance. This amendment would leave no question as to a use being permitted within any zoning district. Making interpretation of the ordinance easier to understand to the general public and all others researching or generally trying to understand the ordinance.

Staff has enclosed the draft proposal sent by legal counsel for your review and recommendations.
SECTIONS 17-008 INTERPRETATION

When interpreting the Surfside Beach Code, the canon of construction 'expressiouniusestexclusioalterius' or 'inclusiouniusestexclusioalterius' (i.e. 'to express or include one thing implies the exclusion of another, or of the alternative) shall be strictly observed. (If a use is not explicitly listed it shall not be permitted).

SECTIONS 17-009 through 17-199 [RESERVED]
WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled desires to amend the Town’s Zoning Ordinance; and

WHEREAS, Section 17-202 of the Town’s Code of Ordinance allows for amendments to the Zoning Ordinance from time to time when the public necessity, convenience, general welfare, or good zoning practice justify such action, a revie and art by the Planning Commission; and

WHEREAS, the Planning Commission has recom the amendments after holding a Public Hearing and allowing public input on the propo

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Town of Surfside Beach Code of Ordinance, Chapter 17 - Zoning Article as follows:

SECTIONS 17-008 INTERPRETATION

When interpreting the Surfside Beach Code, the canon of construction 'expressiouniusestexclusioalterius' or 'inclusiouniusestexclusioalterius' (i.e. 'to express or include one thing implies the exclusion of another, or of the alternative) shall be strictly observed. (If a use is not explicitly listed it shall not be permitted).

SEVERABILITY. If any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance shall be held invalid, that invalidity shall affect the other provisions of this article or provision or application, and to this end be severable.

EFFECT OF SECTION HEADINGS. The headings or titles of the sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina.
BE IT ORDERED AND ORDAINED by the Mayor and Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof, this ___ day of ______2015.

__________________________
Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore
Mark L. Johnson, Town Council
Ralph J. Magliette, Town Council

Robert F. Childs, Town Council
Mary Beth Mabry, Town Council
Randle Stevens, Town Council
Attest:
Debra L. Herrmann, CMC, Town Clerk
Decision JP'apeir

Written by: Debra Herrmann

1. SUBJECT: First Reading Ordinance #15-08 to clarify quorum as applies to Town Council, statutory boards, commissions, and committees and to ad hoc committees

2. PURPOSE: To amend Chapter 2, Sections 2-36(c), 2-51 (a), and 2-61 (a) to clarify quorum, and to add Section 2-61(m) Quorum Defined.

3. ASSUMPTIONS: Town Council desires to establish the definition of quorum for all town boards, commissions and committees, whether statutory or ad hoc

4. FACTS:
   (a) At the April 29, 2015 stormwater committee meeting, a disagreement occurred regarding the definition of quorum
   (b) Pursuant to said meeting, the town attorney was contacted for clarification, and his opinion regarding the proper procedure to establish a quorum is attached hereto
   (c) Attorney Battle recommended that the Town adopt a new ordinance and/or amend the existing ordinance deleting potential ambiguities and recognizing the common law rule by defining a quorum as the presence of a majority of appointment members based upon the number of positions established for the board or governmental entity
   (d) Attorney Battle reviewed the proposed ordinance and approved its contents on May 15, 2015
   (e) Attorney Battle recommended that the planning commission review and amend Section 17-221, which was presented to the commission at its July meeting and subsequently approved and recommended for amendment to Town Council.

5. IMPACT OF SUCCESS OR FAILURE:
   (a) Failure to adopt the ordinance will result in continued disagreement regarding what constitutes a quorum
   (b) Success will be achieved by all town appointment boards, commissions, and committees using the same procedure to establish a quorum

6. RECOMMENDATION: Approve as presented.

7. RATIONALE FOR RECOMMENDATION: Adopting the attorney's recommendation will eliminate any question regarding exactly how a quorum is determined so that town business can be conducted.
STATE OF SOUTH CAROLINA ) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH 
COUNTY OF HORRY ) TO AMEND CHAPTER 2, SECTIONS 2-36(C), 2-51(A), AND 2-61(A) 
TOWN OF SURFSIDE BEACH ) TO DEFINE QUORUM AND TO ADD 2-61(M) QUORUM DEFINED 
AND TO AMEND SECTION 17-221 TO DEFINE QUORUM.

WHEREAS, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled 
desire to amend Chapter 2, Sections 2-36(c), 2-51(a), and 2-61(a) to clarify quorum, and to add Section 2-61 (m) to 
define quorum in regard to boards, commissions and committees and to amend Section 17-221 to define quorum of 
the Town Code of Ordinances; and

WHEREAS, Michael W. Battle, Esquire, the town's atto

May 7, 2015 that the Town adopt a new ordinance and/or amend ,.., -
ambiguities and  recognizing the common  law rule by defining a 
members based upon the number of positions established for the b

NOW, THEREFORE, Section of the Code of Ordinanc

is hereby amended to state:

Sec. 2-36 (c) Special meetings. Special meetings of the town council may be called by the mayor in cases of 
emergency, or when in the mayor's judgement the good of the town requires it. Special meetings may also be held 
when notice is given in writing, signed by at least four (4) members of town council. Notice shall state the time 
and place of such meeting. If a quorum (see Section 2-38) is present, the meeting shall proceed with all 
the validity of a regular council meeting or a special meeting called 
by the mayor.

Sec. 2-38. - Quorum. Immediately at the hour app
inted for the m
quorum is present, shall proceed to business. In

of the a

t members 

Sec. 2-51. - Quorum and rules of order.

(a) A majority of council members serving constitutes a quorum (see Section 2-38) 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 (see Section 2-38).

Sec. 2-61. - Appointment of committees.

(a) Council may from time to time resolve to create ad hoc committees to provide advice to council on a particular qu

icking, or to study a problem, or to facilitate public input on a particular issue. The scope of duties for ad hoc committees s at the defined by council upon creation. All boards, commissions, and standing 
committees in addition to any hoc committees shall be governed by these provisions; those required by state and 
federal law and the provisions outlined in the supplementary information of the *Cross referenced boards, 
commissions and standing committees. Nothing in this section shall operate to authorize a committee consisting of a 
quorum (see Section 2-38) of council members

No changes to paragraphs (b) through (f).

2-61(m) Quorum Defined. Immediately at the hour appointed for the meeting, the 
chairman of statutory boards, commissions, or committees or the chairman of ad hoc committees shall take the chair, and if a quorum is present, shall proceed to 
business. In the event of the absence of the chairman, the vice chairman shall
take the chair. For statutory boards, commissions, and committees, and ad hoc committees, quorum is based on the number of seats established for the board, commission or committee, regardless of the number of persons appointed, i.e. a seven member board, commission or committee requires four members to be present to constitute a quorum.

Sec. 17-221. - Officers; bylaws; meetings. The board of zoning appeals shall elect a chairman and a vice-chairman from its members who shall serve for one (1) year or until reelected or until their successors are elected. The board shall appoint a secretary, who may be a town employee, or a member of the zoning board. The board shall adopt rules and bylaws in accordance with the provisions of this chapter and S.C. Code 1976, § 6-29-790. Meetings of the board shall be held at the call of the chairman and at other times as the board may determine. A majority of members present shall constitute a quorum. [See Section -61 (m)]. All meetings of the board shall be open to the public.

All other provisions of Chapter 2 and Chapter 17 are unchanged and shall remain in full force and effect.

SEVERABILITY. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of this article, which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

EFFECT OF SECTION HEADINGS. The headings for convenience of reference and shall not affect the meaning hereof shall be solely for effect of this ordinance.

REPEAL AND EFFECTIVE DATE. All ordinances are hereby repealed. This ordinance shall take effect immediately upon approval at second reading by the Town Council of the Town of Surfside Beach, South Carolina, in assembly and by the authority thereof.

BE IT ORDERED AND ORDA

South Carolina, in assembly and by the authority thereof,

Douglas F. Samples, Mayor

David L. Pellegrino, Mayor Pro Tempore

Mark L. Johnson, Town Council

Ralph J. Magliette, Town Council

Robert F. Childs, Town Council

Mary Beth Mabry, Town Council

Rand J. M. Stevens, Town Council

Attest:

Debra E. Herrmann, CMC, Town Clerk

Page 2 of 2