

COUNTY OF HORRY ) AN ORDINANCE OF THE TOWN OF SURFSIDE BEACH  
TOWN OF SURFSIDE BEACH ) TO AMEND CHAPTER 2, ADMINISTRATION  
AND REGULAR MEETING TIMES  
TO ADDRESS APPEARANCE OF CITIZENS AND

**WHEREAS**, the Mayor and Town Council of the Town of Surfside Beach, in council duly assembled on this 28<sup>th</sup> day of January 2020 desire to amend the Town Council meeting schedule; and

**WHEREAS**, Town Council discussed the proposed changes to the meeting agenda at various meetings; and

**WHEREAS**, Town Council wishes to prioritize public comments; and

**WHEREAS**, Town Council wishes to streamline its agenda consistent with state law and open government, and the efficient conduct of the Town's business; and

**NOW, THEREFORE**, Town Council hereby directs that the Town Code of Ordinances of the Town of Surfside Beach, South Carolina are hereby amended to read as follows:

**Sec. 2-36. - Time of meetings.**

(a) *Regular meetings.* The regular meetings of town council shall be held at town hall in council chambers on the second and fourth Tuesday each month, at 6:30 p.m., unless some other hour is fixed or when there is an executive session on the published agenda, then the meeting shall resume immediately after the executive session ends, except during the month of December when the regular meeting shall be held on the second Tuesday at 6:30 p.m., unless some other hour is fixed; subject to executive session as stated herein.

(b) *Special meetings.* Special meetings of the town council may be called by the mayor in cases of emergency, or when in the mayor's judgment the good of the town requires it. Special meetings may also be held when notice is given in writing and signed in the town clerk's office by at least four (4) members of town council. Notice shall state the purpose, time and place of such meeting, to be posted in compliance with the SC Freedom of Information Act. 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.

(c) *Meetings on Election Day.* Any town council meeting, regardless of type, that falls on an election day shall be moved to the Monday immediately prior to the regular scheduled date at the regular hour and meeting place.

### **Section 2-39. - Agenda and order of proceedings.**

(b) *Regular meetings.* The order of proceedings of the town council for regular meetings shall be:

- (1) Call to order
- (2) Invocation and Pledge of Allegiance
- (3) Public hearing (if appearing on published agenda)
- (4) Motions related to Agenda (if applicable)
- (5) Approval of minutes of the last regular meeting of town council and other meetings, as applicable.
- (6) Public comments-Agenda Items five (5) minutes per speaker.
- (7) Communications. (Employee Awards; Guest Presenters, if applicable)
- (8) Business items
- (9) Public Comments–Town Services or Business Conducted five (5) minutes per speaker
- (10) Town Council discussion and/or comments five (5) minutes per speaker  
Executive Session (if appearing on published agenda)  
Motions or Directions resulting from Executive Session (if appearing on published agenda)
- (11) Adjournment

All other sections of Chapter 2-39 remain unchanged and remain in full force and effect.

(e) *Amendments to Agenda; Emergencies.* No item may be added to the agenda after the meeting begins unless added by a two-thirds majority of members present and voting. If the item is one upon which final action may be taken or where there has not been and will not be an opportunity for public comment with prior notice, the two-thirds majority must make a finding that an emergency or exigent

circumstance will exist if the item is not added. [Ref. South Carolina Code Sec. 30-4-80(A)]

Note: Sections 2-39 (a), (c), and (d), shall remain in full force and effect without any amendments thereto.

**Section 2-54. Public Comments.** This code is to ensure that each member of the public in attendance at the regular meeting has an opportunity to comment on agenda items, town business and/or business conducted at the meeting. Speakers may participate in either or both public comment sections.

(a) *Agenda Items.* Any person may speak on agenda items at a regular council meeting upon being recognized by the moderator during the appropriate time. Comments must pertain to an item on the agenda; the speaker must identify himself or herself, speak from the podium and limit comments to five (5) minutes. The mayor or presiding officer has discretion to limit the number of speakers on a particular topic.

(b) *Public Comments Town Services or Business Conducted.* Any individual wishing to address Town Council during a regular meeting during public comments regarding town services or business conducted during the meeting may do so upon being recognized by the moderator at the appropriate time. The speaker must identify himself or herself, speak from the podium and limit comments to five (5) minutes. The mayor or presiding officer has discretion to limit the number of speakers on a particular topic.

(c) *Decorum.* Individuals speaking shall avoid all disrespect to the town council and all personalities. No questions shall be entertained; this is a time for councilmembers to hear public opinion.

Speakers shall not:

- make any personal attacks against the Mayor, Councilmembers, or staff;
- speak or read letters on behalf of another person;
- speak about personnel matters;
- call an individual by name;
- address an individual member of council;
- use profanity, make disruptive comments, make personal comments; or
- Defer his or her time to another individual.

Note: All other sections of 19-0872 shall remain in full force and effect without any amendments thereto.

**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 or titles of the several sections hereof shall be solely for convenience or 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 18<sup>th</sup> day of January 2020.

**Surfside Beach Town Council**

\_\_\_\_\_  
Robert Hellyer, Mayor

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Debbie Scoles, Mayor Pro Tempore

\_\_\_\_\_  
Bruce Dietrich, Town Council

\_\_\_\_\_  
Paul Holder, Town Council

\_\_\_\_\_  
Michael Drake, Town Council

\_\_\_\_\_  
Cindy Keating, Town Council

\_\_\_\_\_  
David L. Pellegrino, Town Council

Attest: \_\_\_\_\_  
Sheri L Medina, Town Clerk