ADMINISTRATION

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

2.101. Form of Government.
2.102. Composition and Election of Council.
2.103. Terms of Office.
2.104. Compensation. Increases. Actual Expenses.
2.105. Mayor Pro Tempore. Duties.
2.106. Oath of Office Required.
2.107. Ordinances.
2.108. Enacting Clause of Ordinances.
2.109. Ordinances Required.
2.110. Emergency Ordinances.
2.111. Codification of Ordinances. Standard Codes.
2.112. Notice Required.
2.113. Form of Ordinances. Introduced in Writing.
2.114. Introduction of Ordinances.
2.115. Original Ordinance to be Entered in Book.
2.116. Notation of Amending or Repealing Ordinances.
2.117. Enactment of Ordinances. Six Days Between Readings.
2.118. Resolutions. Introduction of.
2.119. Same. Adoption of.
2.120. State of Emergency. Emergency Powers of the Mayor.

ARTICLE II. MEETINGS OF COUNCIL

2.201. Time of Regular Meetings. Special Meetings. Open to Public.
2.202. Agenda.
2.203. Appearance of Citizens.
2.204. Minutes of Council Meetings.
2.205. Quorum. Rules of Order.
2.206. Unlawful to Interrupt Meetings.
2.207. Order of Proceedings of Council.
2.208. Voting. Mayor may Vote.
2.209. How Often Members may Speak.
2.210. Reasons for Voting may be Recorded.
2.211. Interested Member or Mayor not to Vote.
2.212. Mayor to Preside. When Mayor and Mayor Pro tempore Absent.
2.213. Executive Sessions.
2.214. Appointment of Committees.
2.215. Committee Reports.
2.216. Order of Committee Reports.
2.217. When Motions to be in Writing.
2.218. Motions not Debatable.
2.219. Precedence of Motions During Debate.
2.220. Motions to Reconsider.

ARTICLE III. ELECTIONS

2.301. Election Laws of the State to Govern.
2.302. Nonpartisan Plurality Method Elections Adopted.
2.303. Filing Fees.
2.304. Public Notice of Elections.
2.305. Date of Municipal Elections.
2.306. Polling Places and Hours.
2.307. Municipal Election Commission Established.
2.308. Manner of Filing. Statement of Candidacy.
2.309. When Qualified.
2.310. When to Assume Office.
2.311. Contested Elections.
2.312. Special Elections.

ARTICLE IV. OFFICERS AND EMPLOYEES

2.401. Enforcement of Ordinances, Laws, etc.
2.402. Right of Entry.
2.403. Resisting or Interfering with Officers or Employees.
2.404. Appointments. Supervision. Compensation. Termination.
2.405. Council to Establish Departments.
2.406. Retirement System.

ARTICLE V. MUNICIPAL CLERK

2.501. Appointment. Tenure.
2.502. Bond.
2.503. Duties of Clerk.
2.504. Clerk May Act as Treasurer.
2.505. Treasurer to be Bonded.

ARTICLE VI. MUNICIPAL ATTORNEY

2.601. Appointment. Tenure.
2.602. Duties.
2.603. Salary.

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

2.101. FORM OF GOVERNMENT.

Pursuant to the Code of Laws of South Carolina, 1976, the McBee form of government shall be the Council form.

(1976 SC Code 5-11-20, et seq.) (Appendix C, this Code)

2.102. COMPOSITION AND ELECTION OF COUNCIL.

The Town Council shall be composed of a Mayor and four (4) council members, all of whom shall be residents of the town and elected by the qualified electors of the town.

(1976 SC Code 5-15-20)

2.103. TERMS OF OFFICE.

The Mayor and all members of Council shall be elected for four (4) years or until their successors shall be duly elected and qualified.

(1976 SC Code 5-15-40)

2.104. COMPENSATION. INCREASES. ACTUAL EXPENSES.

a. The Mayor shall be paid an annual salary of $1,800.00. Each member of Council shall be paid an annual salary of $400.00.

b. Increases in compensation shall not become effective during the terms of the members; provided, however, at the next general election following the adoption of the ordinance, increases shall become effective for all members.

c. The Mayor and members of Council may receive payment for actual expenses incurred in the performance of their official duties, when supported by official expense vouchers.

(1976 SC Code 5-7-170, as amended)

2.105. MAYOR PRO TEMPORE. DUTIES.

Immediately after any general election of the Council, the Council shall elect from its membership a Mayor Pro tempore for a term of not more than two (2) years. He shall act as Mayor during the absence or disability of the Mayor. In case of a vacancy in the office of Mayor, the Mayor Pro tempore shall serve until a successor is elected. (See also Section 2.212 hereof.)

(1976 SC Code 5-7-190)

2.106. OATH OF OFFICE REQUIRED.

The Mayor, each member of Council and any other official, as may be required by Council, before entering upon the duties of their respective offices, shall take the following oath, to-wit:

> I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, 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.
>
> (S. C. Constitution)
>
> As Mayor (Council member) (other official) of The Town of McBee, 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 purposes for which I have been elected. So help me, God.
>
> (1976 SC Code 5-15-150)

2.107. ORDINANCES.

It shall be the duty of the Council to pass, from time to time, such ordinances as in its judgment shall best promote the interests of the citizens and property owners of the municipality.

(1976 SC Code 5-7-30)

2.108. ENACTING CLAUSE OF ORDINANCES.

The enacting clause of all ordinances shall be, in substance, as follows: "Be it ordained by the Town Council of The Town of McBee, South Carolina:"

2.109. ORDINANCES REQUIRED.

South Carolina law requires the Council to act by ordinance to:

1. Adopt or amend an administrative code or ordinances, create, alter or abolish any 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 the violation thereof;

3. Appropriate funds and adopt a budget;

4. Grant, renew or extend franchises, licenses or rights in public streets, or in public property, and close abandoned streets;

5. Authorize the borrowing of money or the issuance of bonds;

6. Levy taxes, assess property for improvements or establish charges for services;

7. Annex areas;

8. Convey or lease or authorize the conveyance or lease of any lands; and

9. Amend or repeal any ordinance described in subparagraphs 1 through 8 above.

In all other matters, the Council may act either by ordinance, resolution, or on motion, written or oral, which shall be recorded in the minutes.

(1976 SC Code 5-7-30 and 5-7-260)

2.110. EMERGENCY ORDINANCES.

Emergency ordinances shall conform to the provisions of 1976 South Carolina Code, Section 5-7-250(d) and Section 2.117(c) hereof.

2.111. CODIFICATION OF ORDINANCES. STANDARD CODES.

a. All ordinances amending this Code and any other ordinances or portions of ordinances, as may be required by Council, shall be codified at least annually in this Code.

(1976 SC Code 5-7-290)

b. Standard codes, technical regulations, business license ordinances and zoning ordinances may be cited in the Code by reference and copies thereof shall be made available by the Clerk for distribution or for purchase at a reasonable price.

(1976 SC Code 5-7-280)

2.112. NOTICE REQUIRED.

Prior to the introduction of an ordinance granting a franchise, license or right for the use of any street or public property, or for the permanent closing of any abandoned street, the applicant for such ordinance shall publish a notice in three (3) separate issues of a newspaper having general circulation in the municipality stating the nature of the franchise, license or right sought or a description of the street sought to be closed, and the date on which the application is to be presented to Council which shall be at least one (1) week after the last notice. This requirement shall not apply to the temporary closing of a public street initiated by Council.

2.113. FORM OF ORDINANCES. INTRODUCED IN WRITING.

Every proposed ordinance shall be numbered, introduced in writing and in the form required for final adoption which shall include:

1. A number;

2. A title briefly describing the contents;

3. Findings, reasons or basis, when appropriate;

4. An enacting clause as set forth in Section 2.108 hereof;

5. A repealing provision, when appropriate;

6. The provisions of the ordinance including section numbers, when appropriate;

7. The effective date of the ordinance and dates of first and second readings and the approval of Town Attorney as to form, when requested;

8. Space for the signatures of the Mayor or, in the absence of the Mayor, the presiding member of Council. The Clerk shall attest adoption. (See Sec. 2.117.f and Appendix B, this Code.)

(1976 SC Code 5-7-270)

2.114. INTRODUCTION OF ORDINANCES.

An ordinance may be proposed by any member of Council. A proposed ordinance shall be referred to the Town Attorney, when appropriate, for approval as to legality and form, and he shall render assistance in the preparation of ordinances when requested to do so. After an ordinance is in proper form and the required notices have been given, the Clerk shall hold the ordinance for public inspection. An ordinance shall be deemed to be introduced when, at a public meeting of Council, its title is read, after appearance on an agenda.

(Editor's Note. See 1976 SC Code, Title 5, Chapter 17, for "Initiative and Referendum" by the Electors.)

2.115. ORIGINAL ORDINANCE TO BE ENTERED IN BOOK.

The Clerk shall enter in an ordinance book the original copy of all ordinances passed by the Council. The book shall be known as the "Ordinance Book," as required by the 1976 S.C. Legislature, bearing Ratification No. 718, and it shall be indexed.

2.116. NOTATION OF AMENDING OR REPEALING ORDINANCES.

The Clerk shall write on the first page of every ordinance, subsequent to entry in the ordinance book, if the same shall be amended or repealed, as the case may be, the words "amended," or "repealed" with a reference on the ordinance in the ordinance book as to where the amending or repealing ordinance can be found.

2.117. ENACTMENT OF ORDINANCES. SIX DAYS BETWEEN READINGS.

a. An ordinance to levy a tax, adopt a budget, appropriate funds, grant a franchise, license or right to use or occupy a public street or public property for commercial purposes shall be complete in the form in which it is finally passed, and in such form remain on file with the Clerk for public inspection at least six (6) days before final adoption.

b. No ordinance shall be adopted until it shall have been read two (2) times and on two (2) separate days with at least six (6) days between each reading.

(1976 SC Code 5-7-270)

c. Emergency ordinances may be adopted on one (1) reading, without notice or hearing by affirmative vote of two-thirds (2/3) of members present. An emergency ordinance may not levy taxes, relate to a franchise or a service rate and shall expire automatically on the sixty-first (61st) day following its enactment.

d. The introduction and reading of any ordinance may 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, any member of Council or any town citizen-taxpayer interested therein may request a public hearing which shall be held at a time designated by the Council prior to final adoption.

f. Upon final adoption, by vote of Council, an ordinance shall be signed by the Mayor, or presiding member in the absence of the Mayor, and attested by the Clerk.

2.118. RESOLUTIONS. INTRODUCTION OF.

a. A voice motion by a member of Council shall be considered to be the introduction of an oral resolution which shall require no written record other than a notation by the Clerk in the Council minutes.

b. A resolution proposed in writing shall be introduced in the same manner as an ordinance and in such form as may be recommended as applicable by the Town Attorney, when appropriate.

2.119. SAME. ADOPTION OF.

Written or oral resolutions may be adopted on one (1) reading, unless a public hearing is scheduled by a majority of the members of Council present.

2.120. STATE OF EMERGENCY. EMERGENCY POWERS OF THE MAYOR.

A state of emergency shall be deemed to exist whenever, during times of great public crises, disaster, rioting, civil disturbances, catastrophe, or for any other reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety, health, welfare or property.

In the event of a state of emergency threatening or endangering the lives, safety, health and welfare of the citizenry or threatening damage to or destruction of property, the Mayor is hereby authorized and empowered to issue a public proclamation declaring to all persons the existence of such a state of emergency and, in order more effectively to protect lives, safety and property, to define and impose a curfew applicable to all persons within the jurisdiction of the Council.

The Mayor is further authorized and empowered to limit the application of such a curfew to any area specifically designated and described within the jurisdiction of the Council and to specific hours of the day or night and to exempt from the curfew policemen, firemen, doctors, nurses and such others as may be essential to the preservation of public order and immediately necessary to serve the needs of the people within the corporate limits.

(1976 SC Code 5-7-160)

ARTICLE II. MEETINGS OF COUNCIL

2.201. TIME OF REGULAR MEETINGS. SPECIAL MEETINGS. OPEN TO PUBLIC.

a. The regular meetings of Council shall be held on the first Tuesday of each month at the Town Hall at 7:30 p.m. Meeting dates may be changed by a majority vote of members present at any regular or special meeting. Notice of all changed meetings and special meetings shall be given to all available members and the news media by the Town Clerk.

b. Special meetings shall be held whenever called by the Mayor in cases of emergency or when, in his judgment, the good of the municipality requires it, or when notice is given in writing by at least three (3) members of the Council.

c. All Council meetings shall be open to the public and public notice given twenty-four (24) hours prior thereto, as required by the Freedom of Information Act of 1972, as amended. (See Appendix A.)

(1976 SC Code 30-4-80)

2.202. AGENDA.

Matters to be considered by Council at a regular meeting shall be placed on a written agenda by the Town Clerk at least twenty-four (24) hours prior to the meeting. Matters not on the agenda may be considered upon request of a member, unless at least three (3) members object.

2.203. APPEARANCE OF CITIZENS.

Any citizen of the town shall be entitled to an appearance before Council at any regular meeting, to discuss any municipal matter, with the exception of personnel matters. Persons desiring to be placed on the agenda shall notify the Clerk in writing, stating the item he wishes to discuss, by 5:00 p.m. the day prior to the meeting.

2.204. MINUTES OF COUNCIL MEETINGS.

The Clerk shall keep the minutes of all public meetings of the Council which shall be a matter of permanent public record. At each regular monthly Council meeting, the minutes of the previous meeting or meetings shall be presented for approval. Minutes shall not be considered the official record of a meeting until approved by the Council. Any member of Council desiring to express a position in the minutes on a matter voted upon by Council may do so by presenting the position in writing to Council not later than the next regular meeting. No person shall make any change in the minutes or remove same from Town Hall, without prior approval of the Mayor or Council.

2.205. QUORUM. RULES OF ORDER.

A majority of the Council shall constitute a quorum for the conduct of business at any meeting. Except as otherwise provided by state law or this Code, all proceedings of Council shall be governed by Robert's Rules of Order. The Town Attorney shall act as parliamentarian. In his absence, all questions of order shall be decided by the Mayor or, in his absence, the presiding officer, without debate, subject to an appeal to the Council.

2.206. UNLAWFUL TO INTERRUPT MEETINGS.

It shall be unlawful for any person or persons to interrupt the proceedings of Council, the Court or any other official body while in session.

(1976 SC Code 14-1-150 and 14-25-90) (See also Section 14.601 of this Code regarding other public meetings.)

2.207. ORDER OF PROCEEDINGS OF COUNCIL.

The order of proceedings of Council meetings may be substantially as follows:

1. Calling the roll.
2. Approval of the minutes.
3. Petitions and communications.
4. Reports of committees.
5. Old business.
6. New business.
7. Adjournment.

2.208. VOTING. MAYOR MAY VOTE.

a. A show of hands or a voice vote shall be sufficient to record votes. During the voting, no member shall leave the Council chamber, without permission of the presiding officer.

b. All actions of Council shall be by majority vote of the members present.

c. The result of each vote on every question shall be recorded in the minutes by the Clerk. The "yeas" and "nays" on any question shall be recorded, when requested by any member.

d. Every member of Council, including the Mayor, shall have one (1) vote on every question, except when required to refrain from voting by state law.

e. Members voting "present" shall not be recorded as in favor or opposed to the motion.

f. The Mayor may make a motion or second a motion without vacating the chair.

(1976 SC Code 5-11-30 as to Mayor's vote.)

2.209. HOW OFTEN MEMBERS MAY SPEAK.

No member shall speak more than twice on the same question, except to explain his position, without concurrence of a majority of the Council.

2.210. REASONS FOR VOTING MAY BE RECORDED.

Any member shall have his reasons for voting for or against any measure recorded in the minutes, at his request.

2.211. INTERESTED MEMBER OR MAYOR NOT TO VOTE.

Neither the Mayor nor any member of Council shall vote on any question of a private nature in which he is personally or pecuniarily interested.

(1976 SC Code 8-13-410, 8-13-460)

2.212. MAYOR TO PRESIDE. WHEN MAYOR AND MAYOR PRO TEMPORE ABSENT.

a. The Mayor shall preside at all Council meetings, when present.

b. In the absence of both the Mayor and Mayor pro tempore the duties of the Mayor shall be performed by such member of the Council as the Council may designate.

2.213. EXECUTIVE SESSIONS.

a. Council may hold Executive Sessions as permitted by the South Carolina Freedom of Information Act (see Appendix A) at such times and places as Council may deem necessary and in the public interest.

b. A majority vote of Council shall be necessary to call such sessions.

c. Any formal action taken in Executive Session shall be ratified thereafter in public session, prior to such action becoming effective.

(1976 SC Code 30-4-60, 30-4-70) (Appendix A, this Code)

2.214. APPOINTMENT OF COMMITTEES.

Council may appoint a committee to assist in or hold a public hearing for Council at any time upon any matter pending before it, unless other-wise prohibited by law. Minutes or reports of hearings held by such committees shall be filed with the Clerk as public records.

2.215. COMMITTEE REPORTS.

Committee reports may be in writing and signed by a majority of the committee. Any report involving the expenditure of money shall be in writing and include the amount to be expended, or an approximation thereof, and the reasons therefor.

2.216. ORDER OF COMMITTEE REPORTS.

Reports of committees, in the order of business, shall be rendered as the presiding officer may determine.

2.217. WHEN MOTIONS TO BE IN WRITING.

All motions shall be reduced to writing at the request of the Mayor or of any member of Council.

2.218. MOTIONS NOT DEBATABLE.

The following motions shall be without debate:

1. To adjourn,
2. To lay on the table,
3. To read any paper,
4. To take the yeas and nays for the previous question, and
5. To reconsider.

2.219. PRECEDENCE OF MOTIONS DURING DEBATE.

When a question is under debate, no motion shall be received except the following, which shall have precedence as follows:

1. To adjourn,
2. To lay on the table,
3. For the previous question,
4. To postpone to a certain day,
5. To commit, to amend or to postpone indefinitely.

2.220. MOTIONS TO RECONSIDER.

A motion to reconsider shall not be entertained unless it be made by a member of Council who voted with the majority, and such motion shall be made only at the same or next succeeding meeting.

ARTICLE III. MUNICIPAL ELECTIONS

2.301. ELECTION LAWS OF THE STATE TO GOVERN.

All municipal elections shall be conducted in accordance with the election laws of the State of South Carolina as provided in the 1976 South Carolina Code of Laws, Title 5, Chapter 15.

2.302. NONPARTISAN PLURALITY METHOD ELECTIONS ADOPTED.

All regular and special elections for public office shall be nonpartisan, and no political party affiliation shall be placed on any ballot. Election results shall be determined according to the nonpartisan plurality method prescribed in Section 5-15-61 of the 1976 South Carolina Code of Laws.

2.303. FILING FEES.

A filing fee of fifty dollars ($50.00) shall be required to become a candidate for the office of Mayor and a fee of twenty-five dollars ($25.00) for Town Council.

2.304. PUBLIC NOTICE OF ELECTIONS.

Public notice of all elections shall be given at least sixty (60) days prior to such elections, pursuant to Section 5-15-50, 1976 S.C. Code.

2.305. DATE OF MUNICIPAL ELECTIONS.

All municipal elections for the office of Mayor and Council, other than special elections, shall be held in even years on the first Tuesday in September. (See Section 2.312 for special elections.)

2.306. POLLING PLACES AND HOURS.

Polling places shall be open from 7:00 a.m. to 7:00 p.m. and shall be designated by Council.

2.307. MUNICIPAL ELECTION COMMISSION ESTABLISHED.

There is hereby established a Municipal Election Commission composed of three (3) electors who shall be residents of the town and who shall serve terms of six (6) years. They shall be appointed by Council and shall conduct all municipal elections. Terms shall be staggered.

(1976 SC Code, 5-15-90, 5-15-100)

2.308. MANNER OF FILING. STATEMENT OF CANDIDACY.

a. A "Statement of Candidacy" for the office of Mayor and for Council shall be filed with the Municipal Election Commission at the office of the Town Clerk no later than 12:00 o'clock noon, thirty (30) days before the date of the election, and

b. The filing period shall close two (2) weeks after the above date.

2.309. WHEN QUALIFIED.

Newly elected officers shall not be qualified until at least forty-eight (48) hours after the closing of the polls.

2.310. WHEN TO ASSUME OFFICE.

Newly elected officers shall be sworn in and assume office at the first meeting of Council in October, immediately following the election, unless said election is contested.

2.311. CONTESTED ELECTIONS.

Should the results of an election be contested, the incumbent who fills that contested office shall hold over until the contest is finally determined.

2.312. SPECIAL ELECTIONS.

Special elections, when required, shall be scheduled by the Council, and public notice of such election shall be given at least sixty (60) days prior thereto. Statements of candidacy shall be filed with the Municipal Election Commission at least thirty (30) days prior to the date of special elections.

(Editor's Note. For public notice see 5-15-50, 1976 S.C. Code.)

ARTICLE IV. OFFICERS AND EMPLOYEES

2.401. ENFORCEMENT OF ORDINANCES, LAWS, ETC.

All officers and employees shall enforce obedience to all state statutes, provisions of this Code or any resolution, rules and regulations or orders issued thereunder by lawful authority by instituting such procedures as may be necessary to such enforcement.

2.402. RIGHT OF ENTRY.

Subject to lawful entry requirements, whenever any officer or employee is required to enter any premises or vehicle as authorized by statute, the provisions of this Code or any ordinance, resolution, rule, regulation or order issued thereunder, he shall have the right to enter any such premises or vehicle at any reasonable time.

2.403. RESISTING OR INTERFERING WITH OFFICERS OR EMPLOYEES.

It shall be unlawful for any person to resist or interfere with any member of the Police Department, Fire Department or any other officer or employee in the discharge of his official duties.

2.404. APPOINTMENTS. SUPERVISION. COMPENSATION. TERMINATION.

The appointment, supervision, compensation and termination of services of all employees shall be the responsibility of the Council.

2.405. COUNCIL TO ESTABLISH DEPARTMENTS.

The Council may establish departments, offices and agencies and prescribe the functions thereof.

(1976 SC Code 5-11-40)

2.406. RETIREMENT SYSTEM.

All permanent full-time employees of the town shall be and are hereby included in the South Carolina Retirement System.

ARTICLE V. MUNICIPAL CLERK

2.501. APPOINTMENT. TENURE.

The Council shall appoint an officer of the municipality who shall have the title of Municipal Clerk and who shall serve at the pleasure of Council.

(1976 SC Code 5-7-220)

2.502. BOND.

Before entering upon the duties of his office, the Clerk shall enter into bond in such sum as may be required by Council with good and sufficient surety for the faithful performance of his duties. The fee therefor shall be paid by the municipality.

2.503. DUTIES OF CLERK.

The Clerk shall serve as ex officio clerk of Council, give notice of meetings, prepare and post the agenda, attend regular and special meetings, record votes of Council, attest all ordinances and resolutions, keep minutes of Council meetings and perform such other duties as may be assigned by Council.

(1976 SC Code 5-7-220)

2.504. CLERK MAY ACT AS TREASURER.

In addition to all other duties, the Clerk may act also as the Treasurer and perform those duties commonly associated therewith, pursuant to state statutes and this Code.

2.505. TREASURER TO BE BONDED.

Should the Treasurer be other than the Clerk, he shall be bonded as provided for the Clerk in Section 2.502, hereof.

ARTICLE VI. MUNICIPAL ATTORNEY

2.601. APPOINTMENT. TENURE. SEE REVISED SECTION

The Council may appoint a Municipal Attorney who shall be a lawyer of good and reputable standing who shall hold office at the pleasure of Council, pursuant to Section 5-7-230, 1976 South Carolina Code of Laws.

2.602. DUTIES. SEE REVISED SECTION

a. The Attorney shall attend all meetings of Council unless excused by Council. He shall act as parliamentarian. When requested to do so, he shall draft all ordinances and resolutions and review all ordinances, resolutions and documents presented to Council. He shall give opinions upon questions of municipal procedure, form and law to any member of Council and other municipal officials, when requested.

b. It also may be the duty of the Attorney to prosecute all cases before the Municipal Court when a jury trial is demanded or the defendant is represented by an attorney.

c. The Attorney shall defend the town against all civil suits.

(1976 SC Code 5-7-230)

2.603. SALARY.

The Attorney shall be paid such salary as may be fixed by Council.

REVISIONS

TO ORDINANCES

STATE OF SOUTH CAROLINA

COUNTY OF CHESTERFIELD

AN ORDINANCE AMENDING ARTICLE 5, 2.601 AND 2.602 OF THE TOWN CODE

BE IT ORDAINED in Council duly assembled this 15 day of March 2006 2006 that Article 6, 2.601 and 2.602 of the Town Code be amended to read as follows:

Section 2.601- Town Attorney

The Council Shall employ a Town Attorney who shall serve at the pleasure of Council. The Town Attorney shall receive such compensation as fixed by Council.

Section 2.602 Duties of Town Attorney

It shall be the duty of the Town Attorney whenever called upon by Council and when the necessity arises to give his advice and direction to the Council or any member thereof, or to the Clerk, or Treasurer, or Chief of Police on any and all legal questions which may arise in the course of administration of the Municipal Government or in the discharge of their duties of the respective offices and whenever required by Council, he shall give his legal opinion in writing. The Town Attorney shall draft or supervise the drafting of all ordinances or other instruments of writing relative to the business of the municipality. The Town Attorney shall defend all civil suits against the Town.

First Reading: 3-7-06 **Second Reading:** 3-15-06

AND IT IS SO ORDAINED:

Eddie Kirkley
Mayor for the Town of McBee

I ATTEST:

Linda McCarn
Town Clerk for Town of McBee