

**AN ORDINANCE TO AMEND ORDINANCE NUMBER 1343  
ESTABLISHING THE CHARLESTON COUNTY GREENBELT  
ADVISORY BOARD AND OTHER MATTERS RELATED  
THERE TO**

**WHEREAS**, County Council, by Ordinance duly enacted on August 10, 2004 (the “Sales Tax Ordinance”), has provided for the imposition of a ½ of one percent sales and use tax (the “Sales Tax”) in Charleston County pursuant to the provisions of S.C. Code Section 4-37-10 et seq. (the “Act”), subject to the results of a referendum held on the imposition of the sales tax on November 2, 2004 (the “Referendum”); and

**WHEREAS**, County Council, by Ordinance duly enacted on August 9, 2016 (the “Sales Tax Ordinance”), has provided for the imposition of a ½ of one percent sales and use tax (the “Sales Tax”) in Charleston County pursuant to the provisions of S.C. Code Section 4-37-10 et seq. (the “Act”), subject to the results of a referendum held on the imposition of the sales tax on November 8, 2016 (the “Referendum”); and

**WHEREAS**, on October 10, 2004 Charleston County Council adopted Ordinance number 1343 creating a system for the development of a Charleston County Sales and Use Tax Spending Plan and establishing the Greenbelt Advisory Board; and

**WHEREAS**, Ordinance No. 1343 required the development of a Comprehensive Greenbelt Plan and that the plan be reviewed and revised very five (5) years by the Greenbelt Advisory Board; and

**WHEREAS**, the Charleston County Greenbelt Advisory Board conducted a 5-year review of the Comprehensive Greenbelt Plan that included an updated greenspace inventory, numerous public meetings and a public survey, and

**WHEREAS**, the Charleston County Greenbelt Advisory Board analyzed the results of the plan review and based on this analysis amended the Comprehensive Greenbelt Plan on May 2, 2018 and;

**WHEREAS**, on July 24, 2018 Charleston County Council approved the Comprehensive Greenbelt Plan amendments as recommended by the Greenbelt Advisory Board; and

**WHEREAS**, in order to carry out these purposes, Charleston County Council hereby adopts the above-stated recitals as findings of fact and hereby enacts the following ordinance to implement the recommendation of the Comprehensive Greenbelt Plan and.

**NOW, THEREFORE**, pursuant to the authority granted to the County Council for Charleston County under the Constitution, statues, and laws of the State of South Carolina, BE IT ORDAINED by the Charleston County Council, in meeting duly assembled, the following:

1. Section 1. Primary Advisory Body for Greenbelts is amended to read:

For the purposes of greenbelts, the Greenbelt Advisory Board (the “GAB”) shall annually present recommendations for expenditures on such projects for County Council approval. Projects in this category may be both in the unincorporated areas of the County and in its municipalities. Such plans must conform to applicable comprehensive land use plans, and should involve input from the governing body having jurisdiction over the land involved.

2. Section 6. Paragraph e) is amended to read:

e) The GAB shall meet monthly in regularly scheduled meetings and special meetings as the chair may call. The GAB shall establish its own rules of procedure and shall elect a chairman and vice chairman. The GAB is a public body and must conduct its meetings and activities in accordance with the South Carolina Freedom of Information Act and other applicable law.

3. Section 6. Paragraph g) is amended to read:

g) The Greenbelts Advisory Board shall prepare and deliver to Council findings, recommendations and comments regarding the proposed Comprehensive Greenbelts Plan, and shall receive input from members of the public through an extensive public input process. The date for final delivery of the GAB’s report shall be as established by County Council.

#### SECTION IV. SEVERABILITY

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind or property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

#### SECTION V. EFFECTIVE DATE

This Ordinance shall be effective immediately upon approval following third reading.

ADOPTED BY CHARLESTON COUNTY COUNCIL ON THIS 23<sup>rd</sup> DAY OF OCTOBER, 2018 .

First Reading: September 20, 2018