

STAT OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 03-08-21

AN ORDINANCE PERMITTING THE NEWBERRY COUNTY JOINT PLANNING COMMISSION AND THE NEWBERRY COUNTY BOARD OF ZONING APPEALS TO CONDUCT VIRTUAL/ELECTRONIC MEETINGS PERMANENTLY

WHEREAS, County Council, through the passage of an emergency ordinance, has allowed for virtual/electronic meetings as a means of assuring that the work of the Newberry County Joint Planning Commission (“JPC”) and the Newberry County Board of Zoning Appeals (“BZA”) will continue during the COVID-19 pandemic; and

WHEREAS, County Council now wishes to permanently authorize the ability of the JPC and BZA to hold meetings through virtual/electronic means.

NOW, THEREFORE, BE IT ORDAINED BY NEWBERRY COUNTY COUNCIL, IN MEETING DULY ASSEMBLED, THAT:

The JPC and BZA shall adhere to and follow the procedures listed herein whenever they hold a virtual/electronic meeting.

PRIOR TO MEETING

- A. Those members of the JPC or BZA may attend by virtual/electronic means, provided they must be able to hear any and all comments made by the public, staff, and other members of the Commission or Board.
- B. All public participants and attendees, staff and other members of the Commission or Board shall be able to hear the comments, motions, and votes of all the members of the Commission or Board attending such meeting by virtual/electronic means, as well as those of any officials or staff required to speak at such meeting.
- C. Other than establishing electronic connections, there shall be no communications among the members of the Commission or Board attending virtually/electronically, unless such communication is part of the meeting and can be heard by all public participants and attendees.
- D. The comments, motions, and votes of the members of the Commission or Board attending virtually/electronically shall be recorded in the minutes of the meeting, and the meeting itself shall be recorded in the same manner as would a physical meeting of the body.
- E. Any member that will be unable to attend a meeting in person who wishes to attend virtually shall give advance notice to either the Chairman or the County Zoning Administrator stating the reasons they are unable to attend in person. Once they are appearing virtually in the meeting, they shall also preface any action by stating for the public record the reason they are unable to attend in person.

MEETING PROTOCOLS

- A. Immediately after calling the meeting to order, the presiding officer shall poll the members of the Commission or Board to confirm attendance.
- B. Any vote of the Commission or Board must be conducted by individual vote of the members of the Commission or Board, who shall verbally indicate their vote on any matter by stating “yea” or “nay” or signify by raising their hand at the appropriate time. All individual votes shall be recorded by the clerk or presiding officer, as appropriate.
- C. All members of the Commission or Board, officials, staff, and presenters should identify themselves and be recognized prior to speaking.
- D. Members of the Commission or Board shall strictly comply with the ordinary procedural rules, standards of decorum and good practices applicable to physical meetings of the Commission or Board, particularly as such rules and standards apply to being recognized by the presiding office, to preserve order and allow for the effectiveness of virtual/electronic meetings.
- E. With respect to any virtual/electronic meeting, members of the public may submit written public comments which shall be distributed to the members of the Commission or Board.

QUORUM

Any member attending a meeting of the JPC or BZA by virtual/electronic means, whether physically present or not, shall be counted as present in determining the quorum for such meeting.

This Ordinance is effective upon third reading.

AND IT IS SO ORDAINED by Newberry County Council this ____ day of _____, 2021 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Henry H. Livingston, III, Chairman

Attest:

Susan C. Fellers, Clerk to Council

1st reading: March 3, 2021
2nd reading: March 17, 2021
3rd reading: April 7, 2021

Reviewed and approved as to form.

Wayne Adams, County Administrator

A.J. Tothacer, Jr., County Attorney