

TOWN COUNCIL

STAFF REPORT EXECUTIVE DEPARTMENT



MEETING DATE:	October 11, 2016
PROJECT:	Ordinance Approving and Adopting the Recodification of the Code of Ordinances for the Town of Bluffton, South Carolina – First Reading
PROJECT MANAGER:	Terry Finger, Town Attorney

RECOMMENDATION: Town Council approve First Reading of the Ordinance Approving and Adopting the Recodification of the Code of Ordinances (The Code) for the Town of Bluffton, South Carolina.

BACKGROUND: The Town Council adopted The Code for the Town of Bluffton in 1973. Since then, the Town has adopted three recodifications of The Code in 1982, 1999 and 2009. The process of recodification is essentially a careful editing of the code to bring it in line with State law; remove inconsistencies and obsolete provisions; and to incorporate new ordinances passed since 2009.

INTRODUCTION: Typically, recodification occurs once every 10 years. However, due to the rapid growth of the Town and the resulting increase in the number of ordinances adopted, the Town determined that it is in its best interest to move forward with an early recodification. The Town of Bluffton contracted with Municipal Code Corporation (Municode) on July 30, 2015 to recodify The Code. This recodification will incorporate 114 new or amended ordinances since 2009. The draft recodification was reviewed by Town Staff and final document was review by the Attorney to Town Council.

Moving forward, the Town will follow Municode's recommendation to provide supplemental updates to The Code every 6 to 12 months which will incorporate new ordinances between formal recodifications.

The Code is an administrative tool of the Town and is also readily accessible to all citizens via the Town of Bluffton's website. An official copy of The Code is also maintained in the Office of the Town Clerk.

NEXT STEPS: Pending Town Council's approval of First Reading, the draft recodification of the Code will be presented for Public Hearing and Second and Final Reading at the November 8, 2016 Town Council meeting.

ATTACHMENTS:

1. Draft Ordinance approving and adopting the Recodification of the Code of Ordinances for the Town of Bluffton, South Carolina
2. Suggested Motion to accompany ordinance

ORDINANCE NO. 2016-

**ORDINANCE APPROVING AND ADOPTING THE RECODIFICATION OF
THE CODE OF ORDINANCES FOR THE TOWN OF BLUFFTON, SOUTH
CAROLINA**

WHEREAS, the Town of Bluffton Town Council finds it to be in the public interest that the active law of the Town be readily accessible to all citizens and as a tool for the day-to-day administration of the Town affairs; and

WHEREAS, the last recodification of the Code of Ordinances for the Town of Bluffton, South Carolina took place in 2009; and

WHEREAS, the Town of Bluffton engaged the Municipal Code Corporation to edit the Code of Ordinances for the Town of Bluffton, South Carolina to bring it into line with State law, remove inconsistencies and obsolete provisions, and incorporate new ordinances passed since 2009; and

WHEREAS, a final draft of the Code of Ordinances has been presented to Town Council.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Town Council of the Town of Bluffton that the recodification of the Code of Ordinances for the Town of Bluffton, South Carolina is hereby approved and adopted; and

BE IT FURTHER ORDAINED, this code may be referred to as the "Code of Ordinances of 2016" or the "Bluffton Town Code"; and

FURTHER, all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed; and

FURTHER, it shall be unlawful for any person to change, alter or amend any part of this code, except by official action of the Mayor and Council; and

FURTHER, if any chapter, article, section or subsection, sentence, clause or phase of this Code is for any reason declared to be unconstitutional or invalid by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof; and

FURTHER, an official copy of this code shall be filed in the office of the Town Clerk and on the Town's website and made available to persons desiring to examine the same.

DONE, RATIFIED, AND ENACTED this _____ day of _____, 2016.

This Ordinance was read and passed at First Reading on _____, 2016.

Lisa B. Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Kimberly Chapman, Town Clerk
Town of Bluffton, South Carolina

A Public Hearing was held on this Ordinance on _____, 2016.

Lisa B. Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Kimberly Chapman, Town Clerk
Town of Bluffton, South Carolina

This Ordinance was passed at Second and Final Reading held on
_____, 2016.

Lisa B. Sulka, Mayor
Town of Bluffton, South Carolina

ATTEST:

Kimberly Chapman, Town Clerk
Town of Bluffton, South Carolina

Attachment 2 to Staff Report Regarding:

**ORDINANCE APPROVING AND ADOPTING THE RECODIFICATION OF THE
CODE OF ORDINANCES FOR THE TOWN OF BLUFFTON, SOUTH CAROLINA**

Recommended Motion to Accompany Staff Report:

*“I would like to make a motion to approve and adopt an ordinance to recodify the
Code of Ordinances for the Town of Bluffton, South Carolina.”*