

STATE OF SOUTH CAROLINA

ORDINANCE NO.: 2015-1382

COUNTY OF LANCASTER

AN ORDINANCE

TO AMEND ARTICLE IV, SECTION 2-133 OF THE LANCASTER COUNTY CODE OF ORDINANCES SO AS TO REQUIRE THAT ALL FUTURE AMENDMENTS TO THE LANCASTER COUNTY PERSONNEL POLICY BE ACCOMPLISHED THROUGH COUNCIL'S PASSAGE OF AN ORDINANCE RATHER THAN BY RESOLUTION; FURTHER, TO AMEND ARTICLE IV OF THE LANCASTER COUNTY CODE OF ORDINANCES SO AS TO ADD THERETO SECTION 2-132.1 WHEREIN SHALL BE SET FORTH CERTAIN LANCASTER COUNTY RESIDENCY REQUIREMENTS FOR THE STAFF POSITIONS OF COUNTY ADMINISTRATOR, COUNTY ATTORNEY AND DIRECTOR OF ECONOMIC DEVELOPEMNT.

WHEREAS, through the passage of Ordinance #1066 on November 9, 2010, Council did amend the Lancaster County Code of Ordinances, Article IV, Section 2 so as to permit personnel policies to be amended by resolution; and

WHEREAS, upon the advice and opinion of the present County Attorney, Council has concluded that conformity with both South Carolina statutory law, Section 4-9-30(7), and Section 2-61 of the Lancaster County Code of Ordinances dictates that future additions and amendments to Article IV, Personnel Policy, be adopted through the passage of an ordinance; and

WHEREAS, in conjunction with Council's conclusion that the best interests of Lancaster County will be served through certain staff management personnel having a greater knowledge of the county's activities and a closer working relationship with both local municipalities and corporate citizens, Council has determined that a prospective residency requirement be established for three (3) positions, including the County Administrator, the County Attorney and the Director of Economic Development as set forth hereinafter.

NOW, THEREFORE, by the power and authority granted to the Lancaster County Council by the Constitution of the State of South Carolina and the powers granted to the County by the General Assembly of the State, it is ordained and enacted that:

1. Section 2-133 of the Lancaster County Code of Ordinances is amended to the extent that the second and final in that section shall be removed and the following language shall be substituted therefor:

**County Council shall adopt such county personnel policy and amendments thereto by ordinance.**

2. Prior action by Council regarding personnel policy decisions, whether made by resolution or otherwise, shall be considered as lawful and binding.

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3. Effective upon passage of this ordinance, the Lancaster County Code of Ordinances shall be amended so as to add Article IV, Section 2-132.1, which shall read as follows:
- a. On or after February 1, 2016, the County Administrator, the County Attorney and the county's Director of Economic Development shall reside permanently within the boundaries of Lancaster County during the entire period of employment.
  - b. Unless otherwise modified by Council because of unusual circumstances, permanent residency shall be established within six (6) months following the staff member's acceptance of employment.

**AND IT IS SO ORDAINED**


Dated this 25<sup>th</sup> day of January, 2016.

**LANCASTER COUNTY, SOUTH CAROLINA**

  
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Bob Bundy, Chair, County Council

  
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Steve Harper, Secretary, County Council

ATTEST:

  
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Debbie C. Hardin, Clerk to Council

First Reading:           December 14, 2015  
Second Reading:       January 11, 2016  
Third Reading:         January 25, 2016