

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

ORDINANCE NUMBER 18-21

AN ORDINANCE TO SUPPLEMENT DORCHESTER COUNTY CODE OF ORDINANCES TO CREATE THE DORCHESTER COUNTY RIVERS AND WATERWAYS COMMISSION (DCRAWC) BY ADDING A NEW DIVISION 11, SEC. 2-419, *ET SEQ.*

WHEREAS, Dorchester County is empowered to adopt ordinances as may appear to be necessary and proper for the security, general welfare and convenience of the county and for preserving health, peace, order and good government.

NOW, THEREFORE, BE IT ORDAINED by the Dorchester County Council, duly assembled,

Sec. 2-419 Creation.

There is hereby created an advisory Commission to be known as the Dorchester County Rivers and Waterways Commission, which shall have the structure, organization, composition, purposes, powers, duties, and functions established herein below.

Sec. 2-420 Structure, Organization, and Composition of Commission.

- (a) The Dorchester County Rivers and Waterways Commission shall consist of seven (7) members appointed by Dorchester County Council and shall serve for a term of two (2) years from the date of appointment. Each Council member shall appoint one Commission member. Commission members shall be residents of Dorchester County but need not be a resident of the District of the appointing Council member.
- (b) Officers of the Commission shall consist of a Chairman, Vice Chairman, Secretary-Treasurer, and such other officers as may be elected by a majority vote of the Commission. The Officers of the Commission shall be elected by the Commission each year for the terms of office that shall commence on January 1 of the following year. Officers shall serve terms of one (1) year and shall continue in office until their successors are elected and qualified.
- (c) The members of the Commission, including officers, shall serve without pay but may be reimbursed for travel and other incidental expenses incurred in connection with the Commission's responsibilities; however, such reimbursement shall be subject to compliance with ordinances, policies and procedures established by the Dorchester County Council governing the reimbursement of expenses for county boards, agencies and commissions.

Sec. 2-421 Parliamentary Procedure; Minutes.

The Commission shall conduct all meetings in accordance with Roberts Rules of Order, the laws of the State of South Carolina, and Dorchester County Ordinances. The Commission shall

maintain records and minutes of its proceedings and meetings.

Sec. 2-422 Meetings; Attendance.

The Commission shall meet at intervals appropriate to the requirements of the Commission but no less than quarterly. The Chairman or a majority of the members of the Commission may call a special meeting of the Commission at any time. A member of the Commission who shall be absent for 50% or more of the meetings of the Commission during any twelve-month period shall be deemed to have forfeited their membership and shall be removed without further action by the Commission or the County Council.

Sec. 2-423 Ex-Officio Members.

The Commission may appoint ex-officio members who shall serve for a term of two (2) years from the date of appointment.

Sec. 2-424 Purposes and Objectives.

The purpose and objectives of the Dorchester County Rivers and Waterways Commission shall be as follows:

- (a) To make recommendations to County Council that support recreational development and sustainable management of rivers and other county waterways. Such recommendations may include but not be limited to:
 - (1) The acquisition and/or lease of land in the name of Dorchester County to provide public access to waterways.
 - (2) Allocation of funds for development and maintenance of water recreation facilities and resources.
 - (3) Allocation of funding for promotional campaigns and activities related to river and waterway tourism.
 - (4) The adoption of plans to guide water recreation and conversation activities along county waterways.
- (b) To promote water recreation activities in Dorchester County for residents and visitors through programs and events.
- (c) To seek financial support from public and private sources for the development, management and promotion of county waterway resources.
- (d) To develop plans to guide water recreation and conservation activities along county waterways.
- (e) To coordinate activities of volunteers to achieve the purposes and objectives herein.

- (f) To partner with neighboring jurisdictions and like organizations to achieve the purposes and objectives herein.

Sec. 2-425 Plan for River and Waterway Resources.

- (a) The Commission, in conjunction with and with the assistance of County staff, shall prepare and submit annually to the Dorchester County Council a plan for accomplishing the purposes and objectives set forth above, including its recommendations to Dorchester County Council for the acquisition of land by lease, purchase or otherwise. A financing strategy shall accompany each recommendation, with emphasis being placed upon minimizing the utilization of public monies and maximizing the utilization of other sources, such as grants, public donations, etc.
- (b) The plan may provide various recommendations and approaches for the provision of recreation opportunities related to County waterways:
 - (1) Purchase of resources for public ownership;
 - (2) Purchase of resources for resale; to help support activities delineated in Section 2-424;
 - (3) Acceptance by donation of properties or resources;
 - (4) The negotiation of leases;
 - (5) Other plans, methods, or approaches for the identification, acquisition, purchase, lease, or development of lands and facilities.
- (c) The power of eminent domain shall not be exercised by the Commission for the acquisition of any property recommended by the Commission.
- (d) The Dorchester County Council may adopt the list of recommendations submitted by the Commission, in whole or in part, and may add to or delete additional items to the list submitted by the Commission. The list shall be reviewed and, if necessary, amended not less than annually by the Commission.
- (e) In the process of developing its recommendations, the Commission shall have the authority to coordinate activities of volunteers, organizations, business and corporate entities and government agencies; encourage such planning activities and development as may be necessary or advisable; and, in conjunction with other agencies, entities or individuals, to identify, acquire, lease, maintain and develop river and waterway recreational facilities in Dorchester County.

Sec. 2-426 Severability. If any section, subsection, or clause of this Ordinance shall be held by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such finding shall not affect the validity of the remaining sections, subsections, and clauses of this Ordinance.


Sec. 2-427 Effective Date. This Ordinance shall be effective upon third and final reading.

Adopted this 19th day of November 2018.



James Lex Byars, III, Chairman
Dorchester County Council

ATTEST:



Tracey L. Langley, Clerk to Council

First Reading: October 15, 2018
Second Reading: November 05, 2018
Third Reading: November 19, 2018