

## APPENDIX

### AN AGREEMENT TO ESTABLISH THE COLLETON AREA JOINT PLANNING ADVISORY COMMISSION

This Agreement made and entered into this 19th day of February, 1980, by and between the City of Walterboro, South Carolina and the County of Colleton, South Carolina for the establishment, operation and maintenance of the Colleton Area Joint Planning Advisory Commission hereinafter call the "Commission."

Now, therefore, it is mutually agreed by and between the parties hereto as follows:

The Colleton Area Joint Planning Advisory Commission created by separate local ordinances of the City of Walterboro, South Carolina and the County of Colleton, South Carolina shall become effective on the 19th day of February, 1980.

#### **Section 1 Purpose.**

The purpose of the Commission is to allow the City of Walterboro, South Carolina and the County of Colleton, South Carolina to act in concert to preserve and enhance their present advantages, to overcome their present handicaps, and to prevent or minimize such future problems as may be foreseen.

#### **Section 2 Jurisdiction.**

The Commission may exercise the powers set forth in Act 487, South Carolina Acts of 1967, as amended, in the following area: Colleton County, excluding the area/areas of incorporated municipalities not party to this Agreement.

#### **Section 3 Membership.**

The Commission shall consist of six members (three appointed by the County and three by the City). The terms of office of the members shall be for four years, except that initial members, two (one County and one City) shall be appointed for a term of two years, two (one County and one City) shall be appointed for a term of three years, and two (one County and one City) shall be appointed for a term of four years. Any vacancy in membership shall be filled for the unexpired term by the appropriate local governing body. Any member may be removed by its respective local governing body for cause, or written charges, after a public hearing. All members shall serve without compensation but may be reimbursed for actual expenses incurred in connection with their official duties.

Membership shall be open to any municipality located in Colleton County, South Carolina. Such municipality may become a member of the Commission and a party to this Agreement by action of its governing body. Such membership shall entitle that municipality to appoint one additional member to the Commission and to all other rights and responsibilities as outlined in this Agreement.

#### **Section 4 Organization, meetings, rules, staff, and finances.**

The Commission shall elect a Chairman and Vice-Chairman from among its members. The term of the Chairman and other Officers shall be one year with eligibility for reelection. It shall appoint a secretary who may

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be an officer or an employee of one of the participating authorities of the Planning Commission.

The Commission shall adopt rules for the transaction of business and shall keep a record of its recommendations, transactions, findings and determination; and shall meet at the call of the Chairman and at such times as the Chairman or Commission may determine. All meetings of the commission at which official action is taken shall be open to the public and all records of the Commission shall be a public record. The Commission may appoint such employees and staff as it may be necessary for its work and make expenditures for salaries of any employees and staff, contracts with consultants, and for the purchase of required equipment and supplies. Costs of Commission operations, including gifts and grants, shall be within the budget approved for said purpose by the separate local governing bodies of the City of Walterboro, South Carolina and the County of Colleton, South Carolina. Local costs of the Commission shall be borne by each jurisdiction party to this Agreement in the same proportion as that jurisdiction's membership on the Commission.

### **Section 5      General powers and duties.**

From and after the time when the Commission shall have organized and selected its officers and shall have adopted its rules of procedure, then said Commission shall have all the powers, duties and responsibilities set forth in Act 487, South Carolina Acts of 1967, as amended.

In general, the Commission shall have the power to:

1. Prepare and revise periodically a comprehensive plan and program for the development of its jurisdiction.

2. Prepare and recommend for adoption to the appropriate governing authority or authorities as a means for implementing the plan and program.

- (a) Zoning ordinances or resolution, and maps and appropriate revisions thereof for its jurisdiction.

- (b) Regulations for the subdivision of land and appropriate revisions thereof within its jurisdiction, and to administer the regulations that may be adopted.

- (c) An official map and appropriate revision thereof showing the exact location of existing or proposed public street, highway and utility rights-of-way and public building sites, together with regulations to control the erection of buildings or other structures or changes in land use within such rights-of-way, building sites or open spaces within its political jurisdiction or a specified portion thereof.

- (d) A capital program for its jurisdiction based on the comprehensive plan and the capital improvements necessary to implement the plan. Such a capital program shall include an annual capital budget based on estimates of the cost of proposed projects and the means of financing them. The Commission shall submit the capital program, including the capital budget, to the governing authority or authorities as directed.

3. Establishing principles and policies for building action in the development of the area.

4. Preparing and recommending to the appropriate local governing bodies for adoption ordinances promoting orderly development in accordance with the comprehensive plan, other than those previously mentioned.

5. Determining whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area.

6. Reviewing and recommending to the participated governing bodies any needed changes in the Zoning Ordinance and the map as well as the Subdivision Regulations, Official Map or other local development contracts.

7. Keeping the participating governing bodies and the general public informed and advised as to these matters.

**Section 6      Repeal and date of effect.**

All ordinance and/or resolutions in conflict herewith are hereby repealed, and this Agreement shall take effect from and after its passage, this 19th day of February, 1980, the public welfare of the City of Walterboro, South Carolina and the County of Colleton, South Carolina, demanding it.

**Section 7      Validity.**

Should any section, or provisions of this agreement be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the agreement as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

