

State of South Carolina )  
County of York )  
City of Tega Cay )

**Ordinance Number 196 -- An Ordinance  
to Amend Ordinance No. 131, Which  
Provided for the Creation, Membership  
and Authority of the Public Works  
Committee**

**WHEREAS**, Section 5-13-30 of the South Carolina Code of Laws vest with City Council the power to appoint all Committees, Boards and Commissions relating to the affairs of the municipal government, except as otherwise provided by law; and

**WHEREAS**, Ordinance No. 2, as amended, provides that the City Council may appoint a special committee to assist in municipal affairs; and

**WHEREAS**, the Public Works Committee has reviewed over the past several months the contents of Ordinance No. 131; and

**WHEREAS**, as a result of such review Public Works Committee recommends the following amendments to Ordinance No. 131.

**THEREFORE BE IT ORDAINED THAT** the Mayor and City Councilmembers of the City of Tega Cay, State of South Carolina, duly assembled do hereby amend Ordinance 131 to read as follows:

**Section 1. Duties.** The committee shall act as an advisory group for the City Manager and City Council in the areas of transportation, public buildings and certain grounds, as directed by the City Manager and/or City Council. Committee members may elect to seek the services of professional engineers, contractors, architects, or other parties when making recommendations to the Manager or Council. Any fees for these professional services are to be approved by the City Manager. The committee may also seek assistance or input from the Director of the Public Works Department and the City Utility Department (TCUD) in matters relating to their responsibilities. The committee may assist other city committees such as the Planning Commission, and the Finance Committee for reviews, comments or approvals. Any correspondence with government agencies such as the Department of Transportation, the Department of Health and Environmental Control (DHEC), etc. shall be directed through the City Manager.

Major areas of responsibility include:

1. Review, comment, approval and/or recommendations on issues relating to the design, specifications, and construction, as well as the maintenance of all streets, sidewalks, walking trails, bicycle trails, jogging trails and hiking trails. Specific responsibilities include: safety for autos and pedestrians for routing, capacity etc., and for proper erosion control.
2. Review, comment, approval and/or recommendations on issues relating to the design, construction, operation and maintenance of all street curbs and gutters, street drains, and storm water sewers. Specific responsibilities include: proper control of stormwater, potable water and sewer systems on City owned roads and easements, and new systems proposed by development within the City limits.
3. Presenting to City Council, a priority list for the reconstruction and/or paving of all streets and city parking areas.
4. Review, comment, approval and/or recommendations on issues relating to the design and construction of all additions and major renovations of public purpose buildings, including changes to implement federal and state mandated requirements.
5. Assist Public Works operations or activities, if requested, when traffic flow patterns and control devices are temporarily altered, due to accidents, acts of nature, construction, etc. Such operations or activities are to be conducted in coordination with the Tega Cay Police Department, or other Public Safety Agencies.
6. Assist the Planning Commission by reviewing plats submitted for new streets, upgrades, changes in traffic flow patterns, storm sewer drainage systems and other utilities.
7. Any related subject assigned by City Council or City Manager.

**Section 2. Prohibition.** Specifically prohibited by this ordinance, without the expressed written consent of the Public Works Committee, or the City Manager or their designee(s) are:

1. the opening, widening, or relocation of streets, common driveways or driveways;
2. the construction, realignment, or moving of drains or storm sewers; or
3. the laying, realignment, or moving of water/sewer pipes, gas pipes, or electric/telephone/cable TV lines.

**Section 3. Composition; Appointment; Compensation.** The Public Works Committee shall be composed of up to seven (7) members appointed by City Council with the advice of City Manager. Committee members shall serve without compensation. A City Councilmember appointed by the Mayor shall serve as liaison. The City Public Works Director, Zoning Administrator or other appropriate city employee may be called upon to serve as consultant members if requested by the committee for certain projects. Such participation shall be at the direction and approval of the City Manager.

**Section 4. Qualifications; Term; Vacancy.** The members shall be City residents and hold no other public office or position. Members shall serve a two-year term commencing the first day of January. Notwithstanding the foregoing, the committee and its individual members shall serve at the will and pleasure of City Council. Four (4) members shall serve until December 31 of odd years, and three (3) members shall serve until December 31 of even years. Vacancies occurring other than by expiration of term shall be filled by City Council for the unexpired term. Members may be reappointed on condition they present a written application for the desired term.

**Section 5. Officers.** The Public Works Committee shall elect one of its members as Chair. The Public Works Committee shall elect one of its members as Vice-Chair. The Public Works Committee may elect a Secretary from its membership, or select a resident of the City of Tega Cay to serve. A non-member secretary shall have no vote.

**Section 6. Meetings.** The Public Works Committee shall set a time for regular meetings, at least once each month. Any regular or special meeting or cancellation requires a 48-hour prior public notice. All meetings shall be open to the public and in accordance with the Freedom of Information Act. The Public Works Committee shall keep minutes of the meetings. Written copies of all minutes, reports, studies, surveys and recommendations shall be filed with the City Manager. Any member absent three or more consecutive meetings without an excuse may be removed by the Chair, if approved by a majority of the remaining committee members.

**Section 7. Constitutionality.** Should any part of this ordinance be declared unconstitutional, such declaration shall affect only the specific part of this ordinance so declared.

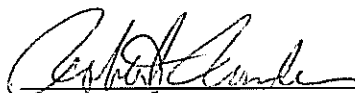
**Section 8. Effective Date.** This ordinance shall take effect immediately upon its final passage.

**FIRST READING:           October 20, 2003**

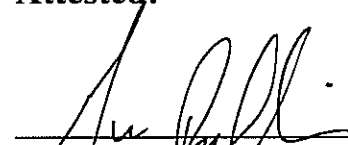
**SECOND READING:       November 17, 2003**

Enacted this 17<sup>th</sup> day of November, 2003, by a majority vote of the duly elected City Council of the City of Tega Cay.

**Signed:**

  
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The Honorable Robert Runde  
Mayor, City of Tega Cay

**Attested:**

  
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Grant W. Duffield  
City Manager