MAYOR CHRISTIE RAINWATER

CITY ADMINISTRATOR MIKE COCHRAN



CITY COUNCIL KEVIN HEDGPETH, MAYOR PRO-TEM KEN BOGGS JEFF C. CHANDLER MIKE DYSON MICHAEL SALLY ADAM SPURLOCK

AGENDA Hanahan City Council Meeting - Virtual Tuesday, January 12, 2021 6:30PM Debbie Lewis Municipal Chambers 1255 Yeamans Hall Road, Hanahan, SC 29410

AGENDA ITEM	PERSON(S) RESPONSIBLE
Call to Order	Christie Rainwater, Mayor
Invocation	Pastor Erik Grayson, Aldersgate United Methodist Church
Pledge of Allegiance	Jeff Chandler, Council Member

RECOGNITIONS:

A. National School Choice Week Proclamation

Michael Sally, Council Member

CITIZENS COMMENTS REGARDING AGENDA ITEMS ONLY

CONSENT AGENDA

- 1. Approval of the Minutes from the City Council December 8, 2020 City Council Meeting
- Police Armored Econo Van to go to B&D Auto & Scrap Metal
- Emergency Ordinance #10-2020 An Ordinance Providing Emergency Procedures for Public Meetings of the City of Hanahan During the Continuance of the Coronavirus Epidemic
- 4. The following four (4) vehicles to be sold on GovDeals: Unit 244 - K-9 2009 Ford Crown Victoria VIN# 2FAHP71V39X115259 Unit 243 - K-9 2009 Ford Crown Victoria VIN# 2FAHP71V19X115258 Unit 39 - 1999 International Garbage Truck VIN#1HTSHADT5XH658889 Unit 33 - 2002 International Garbage Truck VIN# 1HTWGADT52J04031

- 5. New Worker's Compensation Carrier
- 6. Steward Street Park Renovations Proposal From ADC Engineering

UNFINISHED BUSINESS

 Second Reading Ordinance #14-2020 – An Ordinance Amending the City of Hanahan's Zoning and Land Development Ordinance, Section 8 "Signage"

NEW BUSINESS

- 1. Ordinance #15-2020 General Obligation Bonds of 2021 (Bond Referendum)
- Public Hearing Introduction and First Reading Ordinance #1-2021 - Rezoning from Conservation Preservation (CP) to Residential Office (RO): CWS Technology Center (Subdivision of Parent Parcel TMS# 265-02-00-015)
- Paul Trouche, Haynsworth, Sinkler & Boyd

Jeff Hajek, Planner/Econ. Director

Jeff Hajek, Planner/Econ. Director

REPORTS AND COMMENTS

- A. Citizens Comments
- B. City Administrator's Report
- C. Mayor and Council Comments

EXECUTIVE SESSION

Council needs to go into Executive Session regarding a personnel matter. *No action to be taken.

ADJOURNMENT

ORDINANCE #10-2020

(to go into effect <u>after</u> Ordinance # 8-2020 expires on August 30, 2020 & be valid 8/31/20 - 10/30-20; updated dates, to be valid for another 60-days; 11/10/20 – 1/8/21). *We will keep this Ordinance on the Consent Agenda, to keep it from expiring.

AN ORDINANCE PROVIDING EMERGENCY PROCEDURES FOR PUBLIC MEETINGS OF THE CITY OF HANAHAN DURING THE CONTINUANCE OF THE CORONAVIRUS EPIDEMIC

WHEREAS, on March 13, 2020, the Governor of the State of South Carolina (the "State") issued Executive Order No. 2020-08, declaring a State of Emergency based on a determination that the 2019 Novel Coronavirus ("COVID-19") poses an actual or imminent public health emergency for the State;

WHEREAS, also on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

WHEREAS, the President's Coronavirus Guidelines for America recommend avoidance of social gatherings in groups of more than ten people;

WHEREAS, on March 23, 2020, the Governor issued Executive Order 2020-13, which authorizes law enforcement officers of the State, or any political subdivision thereof, "to prohibit or disperse any congregation or gathering of people, unless authorized or in their homes, in groups of three (3) or more people, if any such law enforcement official determines, in their discretion, that any such congregation or gathering of people poses, or could pose, a threat to public health;"

WHEREAS, COVID-19 has not subsided as originally expected, which has necessitated the enactment of a new ordinance calling for emergency procedures for new public meetings;

WHEREAS, the President, the Governor, and public health authorities have recommended observance of social distancing, including the maintenance of safe zones of at least six feet between individuals;

WHEREAS, the City of Hanahan (the "Municipality") is required to conduct public meetings in order to discharge its official duties;

WHEREAS, the Municipality has determined that conducting meetings in the ordinary course and in the usual manner would create a public health hazard by involving a gathering of more than three people and in which minimum social distancing could not be reliably observed;

WHEREAS, the South Carolina Freedom of Information Act ("SC FOIA") defines "meeting" as "the convening of a quorum of the constituent membership of a public body, <u>whether</u> <u>corporal or by means of electronic equipment</u>, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power," S.C. Code § 30-4-20(d) (emphasis added);

WHEREAS, the South Carolina Attorney General has opined that "in the absence of a statute requiring it to meet physically in a certain place, [SC FOIA] authorizes a public body to meet by means of a telephone conference call so long as the public body complies with the other provisions of the South Carolina Freedom of Information Act," *Op. S.C. Att'y Gen.*, 2007 WL 1651329, at 2 (May 18, 2007); *see also Op. S.C. Att'y Gen.*, 2012 WL 3875118 (August 28, 2012);

WHEREAS, the City Council of the Municipality ("Council") now desires to authorize and to establish protocols for conducting meetings during the continuance of the COVID-19 crisis by telephone or other electronic means;

WHEREAS, S.C. Code § 5-7-250(d) provides that "[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;" and

WHEREAS, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered.

NOW, THEREFORE, be it ordained by the City Council of the City of Hanahan as follows:

<u>Section 1. Remote Meetings During the COVID-19 Crisis</u>. The provisions of this Section shall apply to Council and to any and all boards, commissions, committees, or other subsidiary, related, or delegated bodies of the Municipality (collectively, "Boards and Commissions"). For a period beginning on the date of enactment of this Ordinance and continuing until the sixty-first day following such enactment (the "Emergency Term"), the Council and the governing bodies of all of its Boards and Commissions (which governing bodies, including the Council, are referred to herein as the "Governing Body") shall be entitled to conduct all regular and special meetings by telephone or other electronic means, provided that:

- a) Members of the Governing Body attending by electronic means shall be able to hear any and all comments made by the public, staff, and other members of the Governing Body;
- b) All public participants and attendees, staff, and other members of the Governing Body shall be able to hear the comments, motions, and votes of all of the members of the Governing Body attending such meeting by electronic means, as well as those of any officials or staff required to speak at such meeting;
- c) Other than establishing the electronic connections, there shall be no communications among the members of the Governing Body attending electronically, unless such communication is part of the meeting and can be heard by all public participants and

attendees less and excepting those communications necessary for executive session as allowed under S.C. Code § 30-4-70; and

d) The comments, motions, and votes of the members of the Governing Body attending electronically shall be recorded in the minutes of the meeting, and the meeting itself shall be recorded in the same manner as would a physical meeting of the body.

Collectively, these conditions are referred to as the "Participation Requirements."

<u>Section 2. Meeting Protocols.</u> In conducting meetings by telephone or other electronic means, the Governing Body will observe the following protocols:

- a) Immediately after calling the meeting to order, the presiding officer shall poll the members of the Governing Body to confirm attendance.
- b) Any vote of the Governing Body must be conducted by individual voice vote of the members of the Governing Body, who shall verbally indicate their vote on any matter by stating "yay" or "nay." All individual votes shall be recorded by the clerk, secretary, or presiding officers, as appropriate.
- c) All members of the Governing Body, officials, staff, and presenters should identify themselves and be recognized prior to speaking.
- d) Members of the Governing Body shall strictly comply with the ordinary procedural rules, standards of decorum, and good practices applicable to physical meetings of the Governing Body, particularly as such rules and standards apply to being recognized by the presiding officer, in order to preserve order and allow for the effectiveness of electronic meetings.
- e) With respect to any electronic meeting, any public comment periods provided for by local ordinance, resolution, policy, or bylaws are hereby suspended. Members of the public may submit written public comments which shall be distributed to the members of the Governing Body.

<u>Section 3. Physical Presence Not Required to be Counted as Part of a Quorum</u>. The provisions of this section shall apply to Council and to all of its Boards and Commissions. During the Emergency Term, and notwithstanding any other provision of applicable State or local law, a member attending a meeting of Council or any of its Boards and Commissions by electronic means in compliance with the Participation Requirements, whether physically present or not, shall be counted as present in determining the quorum for such meeting.

<u>Section 4.</u> Suspension of Contrary Local Provisions. During the Emergency Term, any ordinance, resolution, policy, or bylaw of the Governing Body that conflicts with the provisions hereof shall be and is hereby suspended and superseded.

<u>Section 5. Immediate and Concurrent Application Due to Emergency</u>. Given the immediate threat to the public health, safety, and welfare presented by physical gatherings during the COVID-

19 crisis, this Ordinance has been enacted at an electronic meeting in accordance with the Participation Requirements and the protocols set forth herein. Notwithstanding any contrary provision of State or local law, the procedures approved herein shall be effective immediately and concurrently and shall apply to the enactment of this Ordinance, which shall be deemed to have been validly enacted as set forth herein.

Section 6. Expiration of Ordinance; Extension of Emergency Term. As provided by S.C. Code § 5-7-250(d), this Ordinance shall expire automatically as of the sixty-first day following the date of enactment. Notwithstanding the foregoing, however, Council may extend the Emergency Term by ordinance enacted in accordance with the meeting protocols contained in Sections 1, 2, and 3 hereof for one or more additional terms, each of no more than sixty days, provided that the aggregate duration of the Emergency Term, including all such extensions, does not exceed six months.

	DONE AND ENACTED IN COUNCIL ASSEMBLED, this	_ day of	,
2020.			

THE CITY COUNCIL OF THE CITY OF HANAHAN, SOUTH CAROLINA,

Mayor, City of Hanahan, South Carolina

(SEAL)

ATTEST:

Clerk, City of Hanahan, South Carolina

ORDINANCE NO. 14-2020

AN ORDINANCE AMENDING THE CITY OF HANAHAN'S ZONING AND LAND DEVELOPMENT ORDINANCE, SECTION 8 – (SIGNAGE)

WHEREAS, Section 2.4 (Amendments) of the City of Hanahan Zoning Ordinance provides a procedure for amending the ordinance; and,

WHEREAS, the City of Hanahan Planning Commission, along with the City Planner, has recommended changes to the City's Zoning Ordinance and has made its findings to City Council; and,

WHEREAS, a public hearing on these proposed changes was held by the Planning Commission on November 17th, 2020 after due publication of notice of said public hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning Commission, City Council now wishes to act on this matter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANAHAN, SOUTH CAROLINA:

8.3.1. Wall signs.

Any sign directly attached to an exterior wall of a building or dependent upon a building for its support shall be considered a wall sign. Signs directly painted on wall shall be considered wall signs. Wall-mounted signs are subject to the standards below.

- (A) The size of the wall sign shall be no more than five (5) percent of the facade area on which the sign is located, or twenty-four (24) square feet, whichever is less.
- (B) The maximum wall sign area may be divided into two (2) separate signs on the same building facade as long as the total area of the two (2) signs does not exceed the maximum permitted.
- (C) Maximum height shall be eighteen (18) feet above finished grade on that facade.
- (D) Wall signs cannot be located on windows or doors. Standards for window signs appear elsewhere in this chapter.
- (E) Metal applied letter signs may substitute for wall signs. The sign size shall be calculated by drawing one (1) parallelogram around the text and images, adding a two-inch border on all sides, and calculating the area of the resulting box.

8.3.1.2 Murals.

Any non-commercial, sign directly attached or painted on to an exterior wall of a building shall be considered a mural. Nothing contained in this section shall circumscribe the display of artwork or a mural in interior locations. Murals are subject to the standards below.

(A) Murals shall be permitted only in the following districts: Town Center (TC), Town Residential (TR), General Commercial (CG) and Industrial (ID).

- (B) Murals shall be a form or expression of art, and not commercial or advertising for a business in any way.
- (C) Murals shall not contain any obscene, explicit, or false or misleading content.
- (D) All murals are required to receive prior approval in writing from the Design Control Committee (DCC). As such, the following documentation will be required in order to considered.
 - a. Written consent from the private property owner.
 - b. At least two letters of support from the community is encouraged.
 - c. A draft of the artwork, including the size, color and material specifications.
 - d. A plan for who will be maintaining the mural as well as how long the mural will be displayed.
- (E) A person applying for approval of a mural may have an informal preapplication review to allow for a preliminary assessment of the project's compliance as well as suggestions for modifications.
- (F) In reviewing each submittal, the DCC should consider the government's interest in:
 - a. promotion of tourism;
 - b. economic growth;
 - c. aesthetic interests and compatibility with the building architecture and surroundings;
 - d. preservation of property values;
 - e. historical preservation; and
 - f. maintaining harmony of design in Town Center (TC), Town Residential (TR), General Commercial (CG) and Industrial (ID) districts.
- (G) The board should consider the size and scale of the mural, the textures, materials and colors in relation to the government interests listed above.
- (H) The DCC may deny an application if the DCC determines that the mural would be detrimental to the government interests enumerated above. Any decision denying a mural submittal must be reduced to writing, with consideration given to at least one of the above enumerated factors.
- 8.3.7 Changeable copy signs.
- (E) Electronic changeable copy signs:
 - (1) **District limitations.** Electronic changeable copy signs shall be allowed for use by nonprofit and public agencies; e.g., schools, churches, or public uses.



(2) **Orientation.** When located within one hundred fifty (150) feet of one (or more) residentially-used lot(s) in a residential zone, all parts of an electronic changeable copy sign shall be oriented so that no portion of the sign face is visible from existing or permitted principal structures on those lots;

(3) **Limited text.** Changeable text of the sign shall be limited to a maximum of ten (10) words to allow passing motorists to read the entire copy with minimal distraction;

(4) **Duration.** Any changeable portion of the message shall have a minimum duration of eight (8) seconds and shall be a static display.

(5) **Transitions.** During transition from one sign face to another, messages may fade in, dissolve, or scroll or have limited animation provided they do not violate the prohibitions in Section 8.9.

(6) **Color.** In residential districts, any portion of the changeable message shall use an amber color or a colored LED projection.

(7) **Brightness.** Prior to issuance of a permit for an electronic changeable sign, the applicant shall provide a written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed a maximum illumination of five thousand (5,000) nits (candelas per square meter) during daylight hours, and five hundred (500) nits (candelas per square meter) between dusk to dawn as measured from the sign's face at maximum brightness in any district.

(8) **Dimmer control.** The sign shall be equipped with an automatic dimmer control that will automatically dim the intensity of the light emitted by the sign during ambient low-light conditions and at night so the sign does not exceed the maximum brightness levels allowed in [subsection] (7) above.

8.4.1. On-premises commercial signs.

- (A) On-premises signs shall be permitted in all zones provided that the sign advertises the principal use of the lot.
- (B) Signs shall be located in such a way that they will maintain horizontal and vertical clearance of all overhead electrical conductors. No sign shall be installed closer than ten (10) feet horizontally or vertically from any conductor or public utility guy wire.
- (C) No sign shall be allowed to protrude into the front, side or rear setback. In the absence of required setbacks, no sign shall be located closer than ten (10) feet from the right-of-way or five (5) feet from the side property lines.
- (D) One (1) freestanding on-premises sign shall be allowed per parcel, unless the use is located within a complex, such as a business park or office complex, and shall not exceed three (3) square feet of copy area for each linear foot of road frontage (e.g., one hundred (100) feet of road frontage would justify a seventy-five-square-foot sign), or the maximum sign area permitted in a district, whichever is less.

(E) Wall signs are allowed but shall not exceed more than fifty (50) thirty-five (35) percent of the wall area on which the sign is affixed.

8.4.2. Off-premises signs.

Any sign located, or proposed to be located, at any place other than within the same site or land development in which the specific business or activity being identified on the sign is itself located or conducted is an off-premises sign.

- (A) Off-premises signs shall be allowed only in the Industrial (ID) zoning district.
- (B) One (1) off-premise sign shall be allowed per lot.
- (C) Off-premises signs shall not be greater than twenty (20) feet in height above the surface elevation of the adjacent right-of-way of finished grade beneath the sign.
- (D) Off-premises signs shall not be greater than one hundred fifty (150) seventy-five (75) feet in copy area per side.
- (E) Off-premises signs shall be set back at least twenty (20) feet from the pavement edge of the nearest road surface.
- (F) Separation of off-premises signs greater than thirty-five (35) feet in sign area shall be at least one thousand (1,000) feet, measured along the nearest road, from any other offpremises sign.

Adopted and approved this the **<u>12th</u>** day of **<u>January</u>** 2021.

Christie Rainwater, Mayor

ATTEST:

Emily Huff, Clerk of Council

Introduced by: Jeff Hajek

First Reading and Public Hearing: <u>12/8/2020</u>

Second Reading: <u>1/12/2021</u>

CITY OF HANAHAN

COUNTY OF BERKELEY

STATE OF SOUTH CAROLINA)

TO PROVIDE FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS OF 2021 OF THE CITY OF HANAHAN, SOUTH CAROLINA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING THIRTEEN MILLION NINE HUNDRED THOUSAND DOLLARS (\$13,900,000); TO PRESCRIBE THE PURPOSES FOR WHICH THE PROCEEDS SHALL BE EXPENDED; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANAHAN, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

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As an incident to the enactment of this Ordinance and the issuance of the bonds provided for herein, the City Council of the City of Hanahan, South Carolina (hereinafter called the City Council), the governing body of the City of Hanahan, South Carolina (hereinafter called the City), finds that the facts set forth herein exist and the statements made with respect thereto are true and correct.

WHEREAS, by virtue of the Municipal Bond Act (Article 5, Chapter 21, Title 5 Code of Laws of South Carolina 1976, as amended), as amended and continued by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended (the Municipal Bond Act, as so amended and continued, being hereinafter called the Enabling Act), the City Council is authorized to issue general obligation bonds of the City for any purpose which is a public purpose and a corporate purpose of the City in any amount not exceeding the constitutional debt limit applicable to the City; and

WHEREAS, by referendum duly authorized and held on November 3, 2020, the electors of the City of Hanahan approved by majority vote the issuance of not exceeding \$13,900,000 of general obligation bonds for the purposes set forth in the following paragraph; and

WHEREAS, pursuant to the authorizations of Article X of the South Carolina Constitution, the Enabling Act, the City Council desires to obtain funds for the purpose of defraying a portion of the costs of acquisition, construction, equipping, and furnishing of park and recreational facilities to be located within the city limits of the City; and

WHEREAS, to obtain such funds the City intends to issue its not exceeding \$13,900,000 General Obligation Bonds of 2021 (the Bonds).

NOW, THEREFORE, on the basis of the foregoing authorizations and for the purpose of raising the sum of not exceeding Thirteen Million Nine Hundred Thousand Dollars (\$13,900,000) Dollars to be expended for the purposes set forth above, the City Council enacts

this Ordinance to effect the issuance and sale of the City's not exceeding \$13,900,000 General Obligation Bonds of 2021.

ARTICLE I

DEFINITIONS

<u>Section 1</u> <u>Defined Terms</u>.

The terms defined in this Article (except as herein otherwise expressly provided or unless the context otherwise requires) for all purposes of this Ordinance shall have the respective meanings specified in this Article.

"Authenticating Agent" shall mean the authenticating agent designated by the City Council pursuant to Section 6 of Article II hereof.

"Bonds" shall mean the General Obligation Bonds of 2021 of the City authorized to be issued hereunder in the aggregate principal amount of not exceeding Thirteen Million Nine Hundred Thousand (\$13,900,000) Dollars.

"Bond Registrar" shall mean the bond registrar designated by the City Council pursuant to the provisions of Section 7 of Article II hereof.

"Books of Registry" shall mean the registration books maintained by the Bond Registrar in accordance with Section 7 of Article II hereof.

"City" shall mean the City of Hanahan, South Carolina, a body politic and corporate and a municipal corporation under the laws of the State of South Carolina.

"City Council" shall mean the City Council of the City and any successor governing body of the City.

"Clerk" shall mean the Clerk of Council of the City or, in his or her absence, the Acting Clerk of Council.

"Closing Date" shall mean the date upon which there is an exchange of the Bonds for the proceeds representing the purchase of the Bonds by the Original Purchaser.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Construction Fund" shall mean the City Bond Construction Fund established pursuant to the provisions of Section 2 of Article IV hereof.

"DTC" shall mean The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, and its successors and assigns.

"Defeasance Obligations" shall mean direct general obligations of the United States of America or obligations, the payment of principal and interest on which is fully and unconditionally guaranteed by the United States of America.

"Enabling Act" shall mean the Municipal Bond Act (Article 5, Chapter 21, Title 5, Code of Laws of South Carolina 1976, as amended), as amended and continued by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended.

"Interest Payment Date" shall mean any March 1 or September 1 commencing September 1, 2021.

"Letter of Representations" shall mean the Letter of Representations from the City and the Bond Registrar and Paying Agent to DTC, with respect to the Bonds, which shall be deemed to be a part of this Ordinance and shall be the binding obligation of the City and the Bond Registrar and Paying Agent.

"Manager" shall mean the City Manager of the City of Hanahan or, in his or her absence, the Acting Manager.

"Mayor" shall mean Mayor of the City of Hanahan or, in his or her absence, the Acting Mayor.

"Nominee" shall mean the nominee of the Securities Depository which shall be the Owner of the Bonds while held under a book-entry only system and any successor appointed by the Securities Depository. The initial Nominee shall be Cede & Co.

"Ordinance" shall mean this Ordinance as from time to time amended or supplemented by one or more supplemental ordinances enacted in accordance with the provisions of Article VII hereof.

"Original Purchaser" shall mean the first purchaser of the Bonds from the City.

"Paying Agent" shall mean the paying agent designated by the City Council pursuant to Section 5 of Article II hereof.

"Private Business Use" shall mean use directly or indirectly in a trade or business carried on by a natural person or in any activity carried on by a person other than a natural person, excluding, however, use by a state or local governmental unit and use as a member of the general public.

"Project" shall mean the cost of capital improvements consisting of acquisition, construction, equipping, and furnishing of park and recreational facilities to be located within the city limits of the City.

"Securities Depository" shall mean the administrator of the book-entry only system for the Bonds, as further described in Section 13 hereof and any successor appointed as provided in Section 13 hereof. The initial Securities Depository shall be DTC.

Section 2 General Rules of Interpretation.

(a) Except as otherwise expressly provided or unless the context otherwise requires, words importing persons include firms, associations, and corporations and the masculine includes the feminine and neuter.

ARTICLE II

ISSUANCE OF BONDS

Section 1 Authorization of Bonds, Denominations and Maturities.

Pursuant to the provisions of the Enabling Act and for the purposes set forth above, there shall be issued not exceeding Thirteen Million Nine Hundred Thousand (\$13,900,000) Dollars of General Obligation Bonds of 2021 of the City of Hanahan. The Bonds shall be originally dated the date of their delivery, shall be in fully-registered form, shall be in denominations of Five Thousand and no/100 (\$5,000.00) Dollars each or any integral multiple thereof, and shall be numbered from R-1 upward. The Bonds shall mature on March 1 in annual series or installments, as follows:

	Principal		Principal
Year	Amount	Year	Amount
2022		2032	
2023		2033	
2024		2034	
2025		2035	
2026		2036	
2027		2037	
2028		2038	
2029		2039	
2030		2040	
2031		2041	

The City reserves the right, in its sole discretion, either to decrease or increase the principal amount of the Bonds maturing in any year (all calculations to be rounded to the nearest \$5,000), provided that any such decrease or increase shall not exceed __% of the Bonds maturing in such year and the aggregate principal amount of the Bonds will not exceed \$13,900,000. Such adjustment(s), if any, shall be made within 24 hours of the award of the Bonds.

Section 2 Optional Redemption of Bonds.

The Bonds maturing on and after March 1, 2032 shall be subject to redemption on and after March 1, 2031, at the option of the City, in whole or in part at any time, but if in part in

such order of maturities as the City may determine, and by lot within a maturity, at the price of par plus accrued interest to the date fixed for redemption.

Section 3 Interest Rates on Bonds.

The Bonds shall bear such rate or rates of interest, payable on the Interest Payment Dates, beginning the dated date of the Bond, as shall, at the sale of the Bonds, reflect the lowest true interest cost to the City, at a price of not less than par, but:

(a) all bonds of the same maturity shall bear the same rate of interest;

(b) no rate of interest named shall be more than 3% higher than the lowest rate of interest named;

(c) each interest rate named shall be a multiple of 1/10th or 1/8th of one per centum (1%); and

(d) any premium offered must be paid in cash as a part of the purchase price.

For the purposes of this Section 3, interest cost shall mean the aggregate of interest on all Bonds from the dated date of the Bonds until their respective maturities, less any sum named by way of premium.

Section 4 Medium of Payment.

Both the principal of and interest on the Bonds shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

Section 5 Place of Payments; Paying Agent.

Principal of the Bonds, when due, shall be payable at the principal office of a bank or trust company (the "Paying Agent") to be named by the Manager. Interest on any Bond shall be payable by check or draft mailed on each Interest Payment Date to the person in whose name such Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the calendar month next preceding such Interest Payment Date (the Regular Record Date) by the Paying Agent.

<u>Section 6</u> <u>Execution of Bonds; Designation of Authenticating Agent.</u>

The Bonds shall be executed in the name of the City by the Mayor of the City of Hanahan, attested by the Clerk and authenticated by an authorized officer of the Paying Agent as authenticating agent (the "Authenticating Agent"), provided that at least one of such signatures shall be a manual signature, and the seal of the City shall be impressed or reproduced on each Bond. Any facsimile signature appearing on the Bonds may be those of the officers who are in office on the date of enactment of this ordinance. The Bonds shall be executed in respect of any

manual signature by the person or persons holding office when such Bonds are ready for delivery. The execution of the Bonds in this fashion shall be valid and effectual notwithstanding changes in the personnel of any of the above offices subsequent to their execution. No Bond shall be of any force and effect unless and until authenticated by an authorized officer of the Authenticating Agent.

Section 7 Form of Bonds; Designation of Bond Registrar.

(a) The Bonds shall be issued in fully registered form, and all principal and interest due thereunder shall be payable only to the registered owner thereof. The Paying Agent shall serve as Bond Registrar (the Bond Registrar), and the City Council hereby directs the Bond Registrar to maintain, at the City's expense, the Books of Registry for the registration or transfer of the Bonds.

(b) The form of the Bonds and assignment provisions to be endorsed thereon shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance.

(c) A copy of the approving legal opinion to be rendered may be printed on the back of each Bond, and preceding the same, a certificate of authentication shall appear, which shall be signed on behalf of the City by a facsimile of the signature of the Clerk. Such certificate of authentication shall be in form substantially as follows:

IT IS HEREBY CERTIFIED that the following is a true and correct copy of the complete legal opinion of Messrs. Haynsworth Sinkler Boyd, P.A., Attorneys and Counsellors at Law, Charleston, South Carolina, the original of which was manually executed, dated, and issued as of the date of the delivery of an payment for the Bonds, and a copy of which is on file with the Paying Agent.

CITY OF HANAHAN, SOUTH CAROLINA

By:__

Clerk of the City Council of the City of Hanahan, South Carolina

Section 8 Registration and Transfers of Bonds; Persons Treated as Owners.

(a) Each Bond shall be fully-registered, and no Bond may be transferred except by the registered owner thereof in person or by his attorney duly authorized in writing, upon surrender thereof together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the registered owner of his duly authorized attorney. Upon the transfer of any such registered Bond or Bonds, the City shall execute and the Authenticating Agent shall authenticate and deliver, subject to the provisions of Section 11 of this Article, in the name of the transferee, a new registered Bond or Bonds of the same aggregate principal amount as the unpaid principal amount of the Surrendered Bond or Bonds.

(b) Any bondholder requesting any transfer shall pay any tax or other governmental charge required to be paid with respect thereto. Any purported assignment in contravention of the foregoing requirements shall be, as to the City, absolutely null and void. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes, and payment of the principal of and interest on such Bonds shall be made only to or upon the order of the registered owner or his legal representative. All such payments shall be valid and effective to satisfy and discharge the liability of the City upon such Bond to the extent of the sum or sums so paid. No person other than the registered owner shall have any right to receive payments, pursue remedies, enforce obligations or exercise or enjoy any other rights under any Bond against the City. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in any Bond as against a person (including the registered owner) other than the City, as in the case where the registered owner is a trustee or nominee for two or more beneficial owners of an interest in any Bond.

(c) In the event that any Bond or portion thereof is duly called for redemption, the Bond Registrar shall not be required to exchange or transfer such Bond or portion of Bond after the Regular Record Date next preceding the date fixed for such redemption.

Section 9 Mutilated, Lost or Stolen Bonds.

In the event any Bond is mutilated, lost, stolen or destroyed, the City may execute and the Authenticating Agent may authenticate a new Bond of like date, maturity, interest rate, and denomination as that mutilated, lost, stolen or destroyed; provided that, in the case of any mutilated Bond, such mutilated Bond shall first be surrendered to the Paying Agent, and in the case of any lost, stolen or destroyed Bond, there shall be first furnished to the City and the Paying Agent evidence of such loss, theft, or destruction satisfactory to the City and the Paying Agent, together with indemnity satisfactory to them, provided that in the case of a holder which is a bank or insurance company, the agreement of such bank or insurance company to indemnify shall be sufficient. In the event any such Bond shall have matured, instead of issuing a duplicate Bond, the City may pay the same without surrender thereof. The City, the Paying Agent and the Authenticating Agent may charge the holder or owner of such Bond with their reasonable fees and expenses in this connection.

Section 10 Exchange of Bonds.

Subject to the provisions of Section 8 of this Article, the Bonds, upon surrender thereof to the Bond Registrar with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or his duly authorized attorney, may, at the option of the registered owner thereof, and upon payment by such registered owner of any charged which the Paying Agent, the Authenticating Agent or the Bond Registrar may make as provided in Section 11 of this Article, be exchanged for a principal amount of Bonds of any other authorized denominations equal to the unpaid principal amount of surrendered Bonds.

Section 11 Regulations with Respect to Exchanges and Transfers.

In all cases in which the privilege of exchanging or transferring the Bonds is exercised, the City shall execute and the Authenticating Agent shall authenticate and deliver the Bonds in accordance with the provisions of this Ordinance. All Bonds surrendered in any such exchanges or transfers shall forthwith be cancelled by the Paying Agent. There shall be no charge for such exchange or transfer of the Bonds except that the Paying Agent, the Bond Registrar and the Authenticating Agent may make a change sufficient to reimburse it for any tax or other governmental charge required to be paid with respect to such exchange or transfer.

Section 12 Temporary Bonds.

The Bonds may be initially issued in temporary form, exchangeable for definitive Bonds to be delivered as soon as practicable. The temporary Bonds may be printed, lithographed or typewritten, shall be of such denominations as may be determined by the City Council, shall be without coupons, and may contain such reference to any of the provisions of this Ordinance as may be appropriate. Every temporary Bond shall be executed by the City upon the same conditions and in substantially the same manner as the definitive Bonds. If the City issues temporary Bonds, it will execute and furnish definitive Bonds without delay, and thereupon the temporary Bonds shall be surrendered for cancellation at the principal office of the Paying Agent and the Paying Agent shall deliver and exchange for such temporary Bonds an equal, aggregate principal amount of definitive Bonds of like maturity or maturities and interest rate or rates. Until so exchanged, the temporary Bonds shall be entitled to the same benefits under this Ordinance as definitive Bonds under this Ordinance.

Section 13 Book-Entry System; Recording and Transfer of Ownership of Bonds.

(a) Unless otherwise agreed to by the City and the Original Purchaser, and except as provided in paragraph (c) below, the Bonds shall be held under a book-entry only system administered in the name of the Nominee. Payment of interest on any Bonds registered in the name of the Nominee shall be made by New York Clearing House or equivalent next day funds to the account of the Nominee on the Interest for the Bonds at the address indicated for the Nominee on the registration books kept by the Bond Registrar.

(b) The Bonds shall be initially issued in the form of separate, single, authenticated fully-registered Bonds in the amount of each separately stated maturity of the Bonds. Upon initial issuance, the ownership of each such Bond shall be registered on the registration books kept by the Bond Registrar in the name of the Nominee. The Bond Registrar and Paying Agent and the City shall treat the Securities Depository (or the Nominee) as the sole and exclusive owner of the Bonds registered in the name of the Nominee for the purpose of (A) paying the principal of, or interest on, the Bonds, (B) selecting the Bonds or portions thereof to be redeemed, (C) giving any notice permitted or required to be given to Owners of Bonds hereunder, (D) registering the transfer of Bonds, (E) obtaining any consent or other action to be taken by the Owners of the Bonds and for all other purposes whatsoever; and neither the Bond Registrar and Paying Agent nor the City shall be affected by any notice to the contrary. Neither the Bond Registrar and Paying Agent nor the City shall have any responsibility or obligation to

any Participant, any Beneficial Owner or any other person claiming a beneficial ownership interest in the Bonds under or through the Securities Depository or any Participant, or any other person which is not shown on the registration books of the Bond Registrar as being an Owner of Bonds, with respect to (F) the accuracy of any records maintained by the Securities Depository or any Participant; (G) the payment to the Securities Depository, any Participant or any Beneficial Owner of any amount in respect of the principal of, or interest on, the Bonds; (H) any notice which is permitted or required to be given to Owners of the Bonds hereunder; (I) the selection by the Securities Depository of any Participant or any other person to receive payment in the event of a partial redemption of the Bonds; or (J) any consent given or other action taken by the Securities Depository as such Owner. The Paying Agent shall pay all principal of and interest on the Bonds only to the Securities Depository (or the Nominee), and all such payments shall be valid and effectual with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. Except as provided in paragraph (c) below, no person other than the Securities Depository shall receive an authenticated bond. Upon delivery by the Securities Depository to the Bond Registrar and Paying Agent of written notice to the effect that the Securities Depository has determined to substitute a new Nominee in place of Cede & Co., the Bonds shall be transferable to such new Nominee in accordance with the provisions hereof.

(c) In the event the City determines that it is in the best interests of the City not to continue the book-entry only system of transfer with respect to the Bonds, or that the interests of the Beneficial Owners might be adversely affected in the book-entry only system of transfer is continued with respect to the Bonds, then the City may notify the Securities Depository and the Bond Registrar and Paying Agent, whereupon the Securities Depository will notify the Participants of the availability through the Securities Depository of bonds. In such event, the Bond Registrar and Paying Agent shall issue, transfer and exchange bonds as requested by the Securities Depository and any Participant or Beneficial Owner in appropriate amounts in accordance herewith. The Securities Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the Bond Registrar and Paying Agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that the Securities Depository is incapable of discharging its duties as such and may so advise the Securities Depository. In either such event, the City shall either (A) stablish its own book-entry system, (B) select another Securities Depository, or (C) deliver bonds as provided herein and as requested by any Participant or Beneficial Owner.

(d) Notwithstanding anything in this Ordinance to the contrary, the City and the Bond Registrar and Paying Agent hereby agree as follows with respect to the Bonds, if and to the extent any Bond is registered in the name of "Cede & Co." as nominee of DTC: (A) the Bond Registrar and Paying Agent shall give DTC all special notices required by the Letter of Representations at the times, in the forms and by the means required by the Letter of Representations; (B) the Bond Registrar and Paying Agent shall make payments to Cede & Co. at the times and by the means specified in the Letter of Representations; (C) Cede & Co. shall not be required to surrender Bonds which have been partially paid or prepaid to the extent permitted by the Letter of Representations; and (D) the Bond Registrar and Paying Agent shall set a special record date (and shall notify the registered owners of the Bonds thereof in writing) prior to soliciting any Holder consent or vote, such notice to be not less than fifteen (15) calendar days prior to such record date (any Bond transferred by a registered owner subsequent to the establishment of the special record date and prior to obtaining such consent or vote shall have attached to it a copy of the notice of Holders by the Bond Registrar and Paying Agent).

(e) The City and the Bond Registrar and Paying Agent will recognize DTC or its Nominee as the Holder for all purposes hereunder, including notices and voting.

(f) Whenever, during the term of the Bonds, beneficial ownership thereof is determined by a book entry at DTC, the requirements in this Ordinance of holding, delivering or transferring Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

ARTICLE III

SECURITY FOR BONDS

<u>Section 1</u> <u>Pledge of Full Faith, Credit, and Taxing Power</u>.

For the payment of the principal of and interest on the Bonds as the same respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit, and taxing power of the City are irrevocably pledged, and there shall be levied and collected annually by the Auditor and Treasurer of Berkeley County, in the same manner as other City taxes are levied and collected, a tax, without limit, on all taxable property in the City, sufficient to pay the principal and interest of the Bonds as they respectively mature, and to create such sinking fund as may be necessary therefor.

<u>Section 2</u> <u>Levy and Collection of Taxes</u>.

The Auditor and Treasurer of Berkeley County shall be notified of this issue of Bonds and, directed to levy and collect, respectively, upon all taxable property in the City, an annual tax, without limit, sufficient to meet the payment of the principal of and interest on the Bonds, as the same respectively mature, and to create such sinking fund as may be necessary therefor.

ARTICLE IV

SALE OF BONDS; DISPOSITION OF PROCEEDS OF SALE

Section 1 Sale of Bonds.

The Bonds shall be sold at public sale, at not less than par. Bids shall be received by the City until such time and date at such place as shall be selected by the Manager. The Bonds shall be advertised for sale in <u>The Post & Courier</u>, a newspaper published in the City of Charleston, South Carolina, and having general circulation in the State of South Carolina, pursuant to a Summary Notice of Sale which shall appear at least once, not less than 7 days before the date set for such sale. The form of such Summary Notice of Sale shall be substantially that set forth in

Exhibit B attached hereto and made a part and parcel hereof, with such changes as shall be approved by the Manager. The Manager is authorized to award the Bonds pursuant to the terms of the Official Notice of Sale, the form and terms of which shall be substantially those set forth in Exhibit C attached hereto and made a part and parcel hereof, with such changes as shall be approved by the Manager.

<u>Section 2</u> <u>Disposition of Proceeds of Sale of Bonds</u>.

(a) There is hereby created a separate account to be named the "2021 General Obligation Bond Fund" (the Construction Fund) to be held by a bank designated by the Manager.

(b) The proceeds derived from the sale of the Bonds issued pursuant to this Ordinance shall be deposited into the Construction Fund, and shall be expended and made use of by the City Council as follows:

(i) Any premium shall be applied to the payment of the principal of and interest on the Bonds as they respectively mature; and

(i) The remaining proceeds shall be deposited in the Construction Fund to be used to defray the cost of issuing the Bonds and to pay the cost of the Project.

(c) Amounts in the Construction Fund shall be disbursed for costs and expenses of the Project upon the filing in the official records pertaining to the Construction Fund of a certificate of the City describing such disbursement, setting forth the portion, if any, of the Net Proceeds of the Bonds to be used for a Private Business Use or to make or finance a loan to other than a state of local governmental unit and certifying that there has been compliance with Sections 3 and 4 of Article V hereof relating to the Private Business Use limitation and the private loan limitation. Amounts, if any, remaining in the Construction Fund shall, upon receipt from the City certifying that no further amounts are required to be disbursed for costs and expenses of the Project, be invested at a yield not in excess of the yield of the Bonds and shall be used to pay debt service on the Bonds on the Interest Payment Date next succeeding the date of transfer and the Construction Fund shall be closed.

(d) No purchaser or holder of the Bonds shall be liable for the proper application of the proceeds thereof.

ARTICLE V

TAX EXEMPTION OF BONDS

<u>Section 1</u> <u>Exemption from State Taxes</u>.

Both the principal of and interest on the Bonds shall be exempt from all state, county, municipal, school district and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

Section 2 Federal Guarantee Prohibition.

The City shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Bonds to be "Federally guaranteed" within the meaning of Section 149(b) of the Code and the Regulations promulgated thereunder.

Section 3 Private Business Use Limitation.

The City shall assure that (i) no portion of the proceeds of the Bonds in excess of ten percent (10%) of the proceeds of the Bonds is used for Private Business Use if, in addition, the payment of more than ten percent (10%) of the principal or ten percent (10%) of the interest due on the Bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for a Private Business Use or in payments in respect of property used or to be used for a Private Business Use or is to be derived from payments, whether or not to the City, in respect of property or borrowed money used or to be used for a Private Business use; and (ii) in the event that both (a) in excess of five percent (5%) of the proceeds of the Bonds are used for a Private Business Use, and (b) an amount in excess of five percent (5%) of the principal or five percent (5%) of the interest due on the bonds during the term thereof is, under the terms of the Bonds or any underlying arrangement, directly or indirectly, secured by any interest in property used or to be used for such Private Business Use or in payments in respect of property used or to be sued for such Private Business Use or is to be derived from payments, whether or not to the City, in respect of property or borrowed money used or to be used for such Private Business Use, then such excess over such five percent (5%) of the proceeds of the Bonds used for a Private Business Use shall be used for a Private Business Use related to the governmental use of the facilities financed with the proceeds of the Bonds.

<u>Section 4</u> <u>Private Loan Limitation</u>.

The City shall assure that no portion of the proceeds of the Bonds in excess of five percent (5%) of the net proceeds of the Bonds is used, directly or indirectly, to make or finance a loan to persons other than state or local government units.

Section 5 No Arbitrage.

The City shall not take any action or permit or suffer any action to be taken with respect to the proceeds of the Bonds if the result of the same would be to cause the Bonds to be "arbitrage bonds" within the meaning of Section 148(a) of the Code and regulations promulgated thereunder.

ARTICLE VI

DEFEASANCE

Section 1 Release of Ordinance.

(a) If all of the Bonds issued pursuant to this Ordinance shall have been paid and discharged, then the obligations of the City under this Ordinance, and all other rights granted thereby shall cease and determine. Bonds shall be deemed to have been paid and discharged within the meaning of this Article under each of the following circumstances:

(i) If the Paying Agent shall hold, at the stated maturities of such Bonds, in trust and irrevocably appropriated thereto, moneys for the full payment thereof; or

(ii) If default in the payment of the principal of such Bonds or the interest thereon shall have occurred, and thereafter tender of such payment shall have been made, and the Paying Agent shall hold, in trust and irrevocable appropriated thereto, sufficient moneys for the payment thereof to the date of the tender of such payment; or

(iii) If there shall have been deposited with the Paying Agent, in an irrevocable trust, either moneys in an amount which shall be sufficient, or Defeasance Obligations the principal of and interest on which, when due, will provide moneys which, together with the moneys, if any, deposited with the Paying Agent at the same time, shall be sufficient to pay, when due, the principal and interest due and to become due on the Bonds on the maturity thereof.

(b) In addition to the above requirements of payments (i), (ii), or (iii), in order for this Ordinance to be discharged, all other fees, expenses and charges of the Paying Agent, the Bond Registrar and the Authenticating Agent have been paid in full at such time.

(c) Notwithstanding the satisfaction and discharge of this Ordinance, the Paying Agent shall continue to be obligated to hold in trust any moneys or investments then held by the Paying Agent for the payment of the principal of and interest on the Bonds, to pay to the owners of Bonds the funds so held by the Paying Agent as and when such payment becomes due.

(d) Any release under this Section shall be without prejudice to the right of the Paying Agent, the Bond Registrar and the Authenticating Agent to be paid reasonable compensation for all services rendered under this Ordinance and all reasonable expenses, charges

and other disbursements and those of their respective attorneys, agents and employees, incurred on and about the administration of trusts by this Ordinance created and the performance of the power and duties under this Ordinance of the Paying Agent, the Bond Registrar and the Authenticating Agent.

<u>Section 2</u> <u>Deposit of Moneys</u>.

Any moneys which at any time shall be deposited with the Paying Agent by or on behalf of the City for the purpose of paying and discharging any Bonds shall be and are hereby assigned, transferred, and set over to the Paying Agent in trust for the respective holders of such Bonds, and such moneys shall be and are hereby irrevocably appropriated to the payment and discharge thereof. If, through lapse of time or otherwise, the holders of such bonds shall no longer be entitled to enforce payment of their obligations, then, in such event, it shall be the duty of the Paying Agent to transfer such funds to the City.

Section 3 Notice of Release of Ordinance.

(a) The City shall give the Paying Agent irrevocable instructions to mail, as soon as practicable, a notice to the owners of defeased Bonds that (i) the deposit required by subparagraph (a) (iii) of Section 1 of this Article has been made with the Paying Agent and (ii) such Bonds are deemed to have been paid in accordance with this Article and stating such maturity dates upon which moneys are to be available for the payment of the principal of and interest on such Bonds.

(b) The City covenants and agrees that any moneys which it shall deposit with the Paying Agent shall be deemed to be deposited in accordance with, and subject to, the applicable provisions of this Article.

ARTICLE VII

AMENDING AND SUPPLEMENTING OF ORDINANCE

Section 1 Amending and Supplementing of Ordinance Without Consent of Holders of Bonds.

(a) The City, from time to time and at any time and without the consent or concurrence of any holder of any Bond, may enact an ordinance amendatory hereof or supplemental thereto, if the provisions of such supplemental ordinance shall not materially adversely affect the rights of the holders of the Bonds then outstanding, for any one or more of the following purposes:

1. To make any changes or correction in this Ordinance as to which the City shall have been advised by counsel that the same are verbal corrections or changes or are required for the purpose of curing or correcting any ambiguity or defective or inconsistent provisions or omission or mistake or manifest error contained in this Ordinance, or to insert in this Ordinance such provisions clarifying matters or questions arising under this ordinance as are necessary or desirable;

2. To add additional covenants and agreements of the City for the purpose of further securing the payment of the Bonds;

3. To surrender any right, power or privilege reserved to or conferred upon the City by the terms of this Ordinance;

4. To grant or confer upon the bondholders any additional right, remedies, powers, authority or security that lawfully may be granted to or conferred upon them; or

5. To make such addition, deletions or modifications as may be necessary to assure compliance with Section 148(f) of the Code relating to required rebate to the United States or otherwise as may be necessary to assure exemption from federal income taxation of interest on the Bonds.

(b) The City shall not enact any supplemental ordinance authorized by the foregoing provisions of this Section unless in the opinion of counsel (which opinion may be combined with the opinion required by Section 4 hereof) the enactment of such supplemental ordinance is permitted by the foregoing provisions of this Section and the provisions of such supplemental ordinance do not adversely affect the rights of the holders of the Bonds then outstanding.

Section 2 Amending and Supplementing of Ordinance With Consent of Holders of Bonds.

With the consent of the holders of not less than a majority in principal amount of (a) the Bonds then outstanding the City Council from time to time and at any time may enact an ordinance amendatory hereof or supplemental hereto for the purpose of adding any provisions to, or changing in any manner or eliminating any of the provisions of, this Ordinance, or modifying or amending the rights and obligations of the City under this Ordinance, or modifying or amending in any manner the rights of the holders of the Bonds then outstanding; provided, however, that without the specific consent of the holder of each such Bond which would be affected thereby, no supplemental ordinance amending or supplementing the provision hereof shall: (i) change the fixed maturity date of any Bond or the dates for the payment of interest thereon or the terms of the redemption thereof, or reduce the principal amount of any Bond or the dates for the payment of interest thereon or the terms of the redemption thereof; (ii) reduce the aforenamed percentage of Bonds, the holders of which are required to consent to any supplemental ordinance amending or supplementing the provisions of this Ordinance; or (iii) give to any Bond or Bonds any preference over any other Bond or Bonds secured hereby. Nothing in this paragraph contained, however, shall be construed as making necessary the approval of the holders of the Bonds of the enactment of any supplemental ordinance authorized by the provisions of Section 1 of this Article.

(b) It shall not be necessary that the consents of the holders of the Bonds approve the particular form of wording of the proposed amendment or supplement or of the supplemental ordinance affecting such amending or supplementing hereof pursuant to this Section. The City

shall mail a notice at least once, not more than thirty (30) days after the effective date of such amendment or supplement of such amendment or supplement postage prepaid, to each holder of Bonds then outstanding at his address, if any, appearing upon the Books of Registry and to the Paying Agent, but failure to mail copies of such notice to any of the holders shall not affect the validity of the supplemental ordinance effecting such amendments or supplements or the consents thereto. Nothing in this paragraph contained, however, shall be construed as requiring the giving of notice of any amendment or supplement of this Ordinance authorized by Section 1 of this Article. No action or proceeding to set aside or invalidate such supplemental ordinance or any of the proceedings for its adoption shall be instituted or maintained unless such action or proceeding is commenced within sixty (60) days after the mailing of the notice required by this paragraph.

Section 3 Notation Upon Bonds; New Bonds Issued Upon Amendments.

Bonds delivered after the effective date of any action taken as provided in this Article may bear a notation as to such action, by endorsement or otherwise and in form approved by the City. In that case, upon demand of the holder of any Bond outstanding after such effective date and upon the presentation of the Bond for such purpose at the principal office of the Paying Agent, and at such additional office, if any, as the City may select and designate for that purpose, a suitable notation shall be made on such Bond. If the City shall so determine, new Bonds, so modified as in the amendments or supplements made pursuant to this Article, shall be prepared, executed and delivered, and upon demand of the holder of any Bond then outstanding shall be exchanged without cost to such holder for Bonds then outstanding, upon surrender of such outstanding Bonds.

<u>Section 4</u> <u>Effectiveness of Supplemental Ordinance</u>.

Upon the enactment (pursuant to this Article and applicable law) by the City Council of any supplemental ordinance amending or supplementing the provisions of this Ordinance and the delivery to the Paying Agent and the City of an opinion of bond counsel that such supplemental ordinance is in due form and has been duly enacted in accordance with the provisions hereof and applicable law and that the provisions thereof are valid and binding upon the City, or upon such later date as may be specified in such supplemental ordinance, (a) this Ordinance and the Bonds shall be modified and amended in accordance with such supplemental ordinance, (b) the respective rights, limitations of rights, obligations, duties and immunities under this Ordinance of the City, the Paying Agent, and the holders of the Bonds shall thereafter be determined, exercised and enforced under this Ordinance subject in all respects to such modifications and amendments, and (c) all of the terms and conditions of any such supplemental ordinance shall be a part of the terms and conditions of the Bonds and of this Ordinance for any and all purposes.

Section 5 Supplemental Ordinance Affecting Paying Agent, Authenticating Agent or Bond Registrar.

No supplemental ordinance changing, amending or modifying any of the rights, duties and obligations of any Paying Agent, Authenticating Agent or Bond Registrar appointed by or pursuant to the provisions of this Ordinance may be enacted by the City Council or be consented to by the holders of the Bonds without written consent of such Paying Agent, Authenticating Agent or Bond Registrar affected thereby.

ARTICLE VIII

MISCELLANEOUS

<u>Section 1</u> <u>Execution of Closing Documents and Certificates</u>.

The Mayor, the City Administrator, the Manager and the Clerk are fully authorized and empowered to take such further action and to execute and deliver such documents and certificates as may be necessary and proper in order to complete the issuance of the Bonds herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as he or they shall approve, is hereby fully authorized.

Section 2 Acting Mayor May Act in Mayor's Absence; Acting Manager May Act in Manager's Absence; Acting Clerk may Act in Clerk's Absence.

In the absence of the Mayor, the Acting Mayor is fully authorized to exercise all powers vested in the Mayor under this Ordinance. In the absence of the Manager, the Acting Manager is fully authorized to exercise all powers vested in the Manager under this Ordinance. In the absence of the Clerk, the Acting Clerk of the City Council is fully authorized to exercise all powers and take all actions vested in the Clerk under this Ordinance.

Section 3 Official Statement.

The City Council hereby authorizes the Official Statement of the City relating to the Bonds substantially in the form as the Manager, upon the advice of bond counsel, approves; the Manager is hereby authorized and directed to execute copies of such Official Statement and deliver the same to the purchaser of the Bonds, which execution and delivery shall be conclusive evidence of the approval of any such modifications; and the City hereby authorizes the use of the Official Statement and the information contained therein in connection with the public offering and sale of the Bonds.

Section 4 Benefits of Ordinance Limited to the City and Holders of the Bonds.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Ordinance or the Bonds is intended or should be construed to confer upon or give to any person other than the City and the holders of the Bonds, any legal or equitable right, remedy or claim under or by reason of or in respect to this Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be an shall be for and inure to the sole and exclusive benefit of the City and the holders from time to time of the Bonds as herein and therein provided.

Section 5 Ordinance Binding Upon Successors or Assigns of the City.

All the terms, provisions, conditions, covenants, warranties and agreements contained in this Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the holders of the Bonds.

<u>Section 6</u> <u>No Personal Liability</u>.

No recourse shall be had for the enforcement of any obligation, covenant, promise or agreement of the City contained in this Ordinance or the Bonds, against any member of the City Council, any officer or employee, as such, in his or her individual capacity, past, present or future, of the City, either directly or through the City, whether by virtue of any constitutional provision, statute or rule of law, or by the enforcement of any assessment or penalty or otherwise, it being expressly agreed and understood that this Ordinance and the Bonds are solely corporation obligations, and that no personal liability whatsoever shall attach to, or be incurred by, any member, officer or employee as such, past, present or future, of the City, either directly or by reason of any of the obligations, covenants, promises or agreements entered into between the City and the bondholders or to be implied therefrom as being supplemental hereto or thereto, and that all personal liability of that character against every such member, officer and employee is, by the adoption of this Ordinance and the execution of the Bonds, and as a condition of, and as a part of the consideration for, the adoption of this Ordinance and the execution of the Bonds, expressly waived and released. The immunity of member, officers and employees of the City under the provisions contained in this Section shall survive the termination of this Ordinance.

Section 7 Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first business day occurring thereafter. Whenever in this Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the next succeeding business day.

Section 8 Partial Invalidity.

(a) If any one or more of the covenants or agreements or portions thereof provided in this Ordinance on the part of the City or any Paying Agent to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreement or portions thereof provided in this Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance or of the Bonds, but the holders of the Bonds shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

(b) If any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or

jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 9 Law and Place of Enforcement of the Ordinance.

This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina, and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in such State.

Section 10 Effect of Article and Section Headings and Table of Contents.

The heading or titles of the several Articles and Sections hereof, and any table of contents appended hereto or to copies hereof, shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of this Ordinance.

Section 11 Repeal of Inconsistent Resolutions and Ordinances.

All ordinances and resolutions of the City Council, and any part of any resolution or ordinance, inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 12 Continuing Disclosure.

(a) The City hereby covenants to file with a central repository for availability in the secondary bond market when requested;

(i) An annual, independent audit, within thirty (30) days of the City's receipt of the audit; and

(ii) Event specific information, within thirty (30) days of and event adversely affecting more than five (5%) percent of revenue.

(b) The City Council hereby authorizes the Manager to execute and deliver the continuing disclosure agreement with respect to the Bonds in substantially the form presented at second reading of this Ordinance.

Section 13 Codification.

This Ordinance shall be forthwith codified in the Code of Hanahan Ordinances in the manner required by law and the name shall be indexed under the general heading "Bond Issue 2021 not exceeding \$13,900,000 General Obligation Bonds."

Section 14 Notice of Enactment of Ordinance.

Upon enactment of this Ordinance, as authorized by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, notice, substantially in the form attached hereto as Exhibit D, of the enactment of this Ordinance shall be published once in <u>The Post & Courier</u>, a newspaper published in Charleston, South Carolina of general circulation in the City.

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THIS ORDINANCE SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING.

SIGNED, SEALED AND DELIVERED THIS _____ DAY OF _____, 2021.

Christie Rainwater, Mayor City of Hanahan

ATTEST:

Emily Huff Clerk of Council

Introduced: _____, 2021 Final reading: _____, 2021

EXHIBIT A

UNITED STATES OF AMERICA STATE OF SOUTH CAROLINA CITY OF HANAHAN GENERAL OBLIGATION BOND OF 2021

No. R-____

\$_____ CUSIP

Interest Rate %

March 1, _____

Maturity Date

_____, 2021

Original Issue Date

Registered Holder: CEDE & CO.

Principal Amount:

(the Paying Agent) at his address as it appears on the registration books (the Books of Registry) of the City as maintained by the Paying Agent as Bond Registrar (the Bond Registrar). The principal of this bond, when due, shall be payable upon presentation and surrender of this bond at the principal office of the Paying Agent, in the City of _______, State of _______, State of _______, Both the principal of and interest on this bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts. For the prompt payment hereof, both principal and interest, as the same shall become due, the full faith, credit, and taxing power of the City are irrevocably pledged.

This Bond has been issued and is held under a book-entry only system administered by The Depository Trust Company ("DTC"), a limited purpose trust company organized under the laws of the State of New York (together with its successors and assigns, the "Securities Depository").

The Bond Registrar and Paying Agent and the City may treat the Securities Depository (or the Nominee) as the sole and exclusive owner of the Bonds registered in the name of the Nominee for the purposes of (i) paying the principal of, or interest on, the Bonds, (ii) selecting the Bonds or portions thereof to be redeemed, (iii) giving any notice permitted or required to be given to Owners of Bonds under the Trust Agreement, (iv) registering the transfer of Bonds, (v) obtaining any consent or other action to be taken by the Owners of the Bonds and for all other purposes whatsoever; and neither the Bond Registrar and Paying Agent nor the City will be affected by any notice to the contrary. Neither the Bond Registrar and Paying Agent nor the City will have any responsibility or obligation to any broker-dealer, bank or other financial institution for which the Securities Depository holds Bonds as securities depository (collectively, the "Participants" and each, a "Participant"), any person in whose name a Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant or such person's subrogee (collectively, the "Beneficial Owners" and each, a "Beneficial Owner"), or any other person claiming a beneficial ownership interest in the Bonds under or through the Securities Depository or any Participant, or any other person which is not shown on the books for the registration and transfer of Bonds kept by the Bond Registrar and Paying Agent as Bond Registrar (the "Register") as being an Owner of Bonds, with respect to (vi) the accuracy of any records maintained by the Securities Depository or any Participant, (vii) the payment to the Securities Depository or any Participant or any Beneficial Owner of any amount in respect of the principal of, or interest on, the Bonds, (viii) any notice which is permitted or required to be given to Owners of Bonds under the Ordinance; (ix) the selection by the Securities Depository or any Participant or any other person to receive payment in the event of a partial redemption of the Bonds; or (x) any consent given or other action taken by the Securities Depository as such Owner. The Bond Registrar and Paying Agent shall pay all principal of and interest on the Bonds only to the Securities Depository (or the Nominee), and all such payments shall be valid and effectual with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. Except as provided in immediately succeeding paragraph, no person other than the Securities Depository shall receive an authenticated bond. Upon delivery by the Securities Depository to the Bond Registrar and Paying Agent of written notice to the effect that the Securities Depository has determined to substitute a new Nominee in place of Cede & Co., the Bonds shall be transferable to such new Nominee in accordance with the provisions of the Ordinance adopted by the City Council of the City (the "Ordinance").

In the event the City determines that it is in the best interests of the City not to continue the book-entry only system of transfer with respect to the Bonds, or that the interests of the Beneficial Owners might be adversely affected in the book-entry only system of transfer is continued with respect to the Bonds, then the City may notify the Securities Depository and the Bond Registrar and Paying Agent, whereupon the Securities Depository will notify the Participants of the availability through the Securities Depository of bonds. In such event, the Bond Registrar and Paying Agent shall issue, transfer and exchange bonds as requested by the Securities Depository and any Participant or Beneficial Owner in appropriate amounts in accordance with the Ordinance. The Securities Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and the Bond Registrar and Paying Agent and discharging its responsibilities with respect thereto under applicable law or the City may determine that the Securities Depository is incapable of discharging its duties as such and may so advise the Securities Depository. In either such event, the City shall either (i) establish its own book-entry system, (ii) locate another Securities Depository, or (iii) deliver bonds as provided herein and as requested by any Participant or Beneficial Owner.

Notwithstanding anything in the Ordinance to the contrary, if and to the extent any Bond is registered in the name of "Cede & Co." as nominee of DTC: (i) the Bond Registrar and Paying Agent will give DTC all special notices required by the Letter of Representations from the City and the Bond Registrar and Paying Agent to DTC with respect to the Bonds (the "Letter of Representations") at the times, in the forms and by the means required by the Letter of Representations; (ii) the Bond Registrar and Paying Agent will make payments to Cede & Co. at the times and by the means specified in the Letter of Representations; (iii) Cede & Co. will not be required to surrender Bonds which have been partially paid or prepaid to the extent permitted by the Letter of Representations; and (iv) the Bond Registrar and Paying Agent will set a special record date (and shall notify the registered owners of the Bonds thereof in writing) prior to soliciting any Holder consent or vote, such notice to be not less than 15 calendar days prior to the special record date (and prior to obtaining such consent or vote shall have attached to it a copy of the notice of Holders by the Bond Registrar and Paying Agent).

The City and the Bond Registrar and Paying Agent will recognize DTC or its nominee as the Holder for all purposes hereunder, including notices and voting.

Whenever, during the term of the Bonds, beneficial ownership thereof is determined by a book entry at DTC, the requirements in the Ordinance of holding, delivering or transferring Bonds shall be deemed modified to require the appropriate person to meet the requirements of DTC as to registering or transferring the book entry to produce the same effect.

THIS BOND is one of an issue of bonds of like original date of issue, tenor, and effect, except as to number, denomination, date of maturity, date of authentication, rate of interest, and registered owner, aggregating _______ and no/100 (\$______) Dollars, issued pursuant to and for purposes authorized by the Municipal Bond Act (Article 5, Chapter 21, Title 5, Code of Laws of South Carolina 1976, as amended), as amended and continued by Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, and an Ordinance (the Ordinance), duly enacted by the City Council of the City of Hanahan, South Carolina, in order to obtain funds with which to defray a portion of the costs of acquisition, construction, equipping, and furnishing of park and recreational facilities to be located within the city limits of the City (collectively, the Project).

THE BONDS maturing on and after March 1, 2032 shall be subject to redemption on and after March 1, 2031, at the option of the City, in whole or in part at any time, but if in part in such order of maturities as the City may determine, and by lot within a maturity, at the price of par plus accrued interest to the date fixed for redemption:

THIS BOND is transferable by the Registered Owner in person, or by his legal representatives, successors, or assigns, on the Books of Registry of the City to be kept for that purpose, at the office of the Paying Agent as Bond Registrar.

ALL PRINCIPAL, interest or other amounts due hereunder shall be payable only to the Registered Owner hereof. This bond may not be transferred except by the Registered Owner hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar duly executed by the Registered Owner of this bond at any time. Any purported assignment in contravention of the foregoing requirements shall be, as to the City, absolutely null and void. The person in whose name this bond shall be registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of and interest on this bond shall be made only to or upon the order of the Registered Owner or his legal representative. All such payments shall be valid and effective to satisfy and discharge the liability of the City upon this bond to the extent of the sum or sums so paid. No person other than the Registered Owner shall have any right to receive payments, pursue remedies, enforce obligations or exercise or enjoy any other rights under this bond against the City. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in this bond as against a person (including the Registered Owner) other than the City, as in the case where Registered Owner is a trustee or nominee for two or more beneficial owners of an interest in this bond.

THE ORDINANCE contains provisions defining terms; sets forth the terms and conditions upon which the covenants, agreements and other obligations of the City made therein may be discharged at or prior to the maturity of this bond with provisions for the payment thereof in the manner set forth in the Ordinance; and sets forth the terms and conditions under which the Ordinance may be amended or modified with or without the consent of the owner of this bond. Reference is hereby made to the Ordinance, to all the provisions of which any owner of this bond by the acceptance hereof thereby assents.

THE BOND REGISTRAR shall not be required to exchange or transfer this bond for the period beginning on the Regular Record Date and ending on the next succeeding Interest Payment Date.

THIS BOND and the interest hereon are exempt from all state, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this bond exist, have happened, and have been done and performed in regular and due time, form, and manner; that the total indebtedness of the City, including this bond and the issue of which this bond is one, does not exceed any constitutional or statutory limitation thereon; and that provision has been made for the levy and collection of sufficient annual taxes, without limit, for the payment of the principal and interest hereof, as the same shall fall due.

THIS BOND shall not be entitled to any benefit under the Ordinance (as hereinafter defined) or become valid or obligatory for any purpose until it shall have been authenticated by the execution of the Certificate of Authentication which appears hereon by the manual signature of an authorized officer of the Paying Agent as authenticating agent.

IN WITNESS WHEREOF, THE CITY OF HANAHAN, SOUTH CAROLINA, has caused this Bond to be signed in its name by the Mayor of the City of Hanahan, by her manual signature, attested by the Clerk of the City Council of the City of Hanahan, by her manual signature, under the Seal of the City of Hanahan impressed or reproduced hereon, and this Bond to be dated the _____ day of _____, 2021.

CITY OF HANAHAN, **SOUTH CAROLINA**

(SEAL)

By:_____ Mayor

ATTEST:

Clerk, City of Hanahan

CERTIFICATION OF AUTHENTICATION

This Bond is one of the Bonds of the issue designated herein and issued under the provisions of the within-mentioned Ordinance.

By:______Authorized Officer

Date of Authentication:

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

(please print or type name and address of Transferee and Social Security or other identifying number of Transferee)

the within Bond and all rights and title thereunder, and hereby irrevocably constitutes and appoints __________ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Date:

Signature guaranteed:

SUMMARY NOTICE OF SALE

NOT EXCEEDING \$13,900,000 CITY OF HANAHAN, SOUTH CAROLINA GENERAL OBLIGATION BONDS OF 2021

Bids will be received by the City of Hanahan, South Carolina (the "City"), pursuant to the Official Notice of Sale.

Sale Date:	, 2021
Sale Time:	12:00 noon (local time)
Bonds Dated:	Date of delivery, on or about, 2021
Maturity:	Payable March 1, 2022 through March 1, 2041, inclusive
Redemption Provisions:	On and after March 1, 2031 at par, in whole or in part at any time
Tax Status:	Tax-exempt; not bank-qualified
Legal Opinion:	Haynsworth Sinkler Boyd, P.A. Charleston, South Carolina
Financial Advisor:	First Tryon Advisors Charlotte, North Carolina
Official Notice of Sale and Preliminary Official Statement:	Available at

*Subject to adjustment as provided in the Official Notice of Sale

The Bonds will be general obligations of the City, payable both as to principal and interest from ad valorem taxes imposed upon all taxable property within the City, without limit as to rate or amount.

This Notice is given to evidence the City's intent to receive bids for and award the Bonds on the date stated above. Such sale may be postponed prior to the time bids are to be received. If postponed, the sale may be thereafter rescheduled, and notice of such rescheduled date of sale will be disseminated at least 48 hours prior to the time for receipt of bids through an electronic information service.

OFFICIAL NOTICE OF SALE

[TO BE PROVIDED]

NOTICE OF ENACTMENT OF ORDINANCE AUTHORIZING ISSUANCE OF NOT EXCEEDING \$13,900,000 GENERAL OBLIGATION BONDS OF 2021 OF THE CITY OF HANAHAN.

Notice is hereby given that the City Council of the City of Hanahan has enacted an Ordinance authorizing the issuance of not exceeding \$13,900,000 General Obligation Bonds of 2021 of the City of Hanahan secured by a pledge of the full faith, credit, and taxing power of the City of Hanahan.

This notice is being given pursuant to subsection 8 of Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, which provides that the initiative and referendum provisions contained in Chapter 17, Title 5, Code of Laws of South Carolina 1976, as amended, should not be applicable to the aforesaid Ordinance unless a notice, signed by not less than five (5) qualified electors, of the intention to seek a referendum, be filed within twenty (20) days following the publication of this notice in the Office of the Clerk of Court for Berkeley County and the office of the Clerk of Council of the City of Hanahan.

By order of the City Council of the City of Hanahan, South Carolina.

ORDINANCE NO. 1-2021 - Rezoning from Conservation Preservation (CP) to Residential Office (RO) - for New CWS Offices

AN ORDINANCE AMENDING THE CITY OF HANAHAN'S ZONING MAP

WHEREAS, Section 2.4 (Amendments) of the City of Hanahan Zoning Ordinance provides a procedure for amending the ordinance; and,

WHEREAS, the City of Hanahan Planning Commission, along with the City Planner, has recommended changes to the City's Zoning Map and has made its findings to City Council; and,

WHEREAS, a public hearing on these proposed changes was held by the Planning Commission on December 1st, 2020 after due publication of notice of said public hearing as required by law; and,

WHEREAS, after hearing all who wished to be heard on this matter and upon review of the findings and recommendations of the Planning Commission, City Council now wishes to act on this matter;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HANAHAN, SOUTH CAROLINA:

Section 1. Amend Zoning Map –TMS numbers 265-02-00-015 as follows:

Amendment to rezone a subdivision (parcel to be assigned TMS # by Berkeley County) of parent parcel (TMS# 265-02-00-015) above referenced parcels from CP (Conservation Preservation) to RO (Residential Office) for consistency with the existing land use and the City of Hanahan's Comprehensive Plan future land use map.

Adopted and approved this the _____ day of _____, 20____.

Christie Rainwater, Mayor

ATTEST:

Emily Huff, Clerk of Council

Introduced By: Jeff Hajek

First Reading and Public Hearing: <u>1/12/2021</u>

Second Reading: 2/9/2021