

## **CHAPTER 4**

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**Article I  
Budget**

**§ 4-101 Fiscal year.**

The fiscal, budget, and accounting year of the town shall begin on the first day of July and shall end on the last day of June of each calendar year.

~~§ 4-102 Administrator to submit budget.~~

~~The town administrator shall prepare and submit a proposed balanced annual budget to council not later than the fifteenth day of May. A budget summary shall be included which itemizes principal sources of revenue, estimated expenditures by departments, and capital project estimates for the budget. Unexpended funds shall not be carried over by a department, but shall be included in revenue estimates for the next budget.~~

**§ 4-102 Finance Committee to submit budget.**

The Finance Committee shall prepare and submit a proposed balanced annual budget to council not later than the fifteenth day of May. A budget summary shall be included which itemizes principal sources of revenue, estimated expenditures by departments, and capital project estimates for the budget. Unexpended funds shall not be carried over by a department, but may be included in revenue estimates for the next budget. (Amended 8-08-06)

**§ 4-103 Contingency provisions.**

~~The budget ordinance may provide for expenditure of contingency funds, and transfer of funds between line items or departments by the town administrator within limits set by council.~~

The budget ordinance may provide for expenditure of contingency funds, and transfer of funds between line items or departments at the direction of the Finance Committee within limits set by council. (Amended 7-11-06)

**§ 4-104 Budget amendments; emergency appropriations.**

~~The budget may be amended by council during the fiscal year by addition to, deletion of, or transfer of any item; provided, that total amended estimated expenditures do not exceed total anticipated revenue. Emergency appropriations may be made by council for the protection of public health, safety, or welfare upon recommendation of the town administrator.~~

The budget may be amended by council during the fiscal year by addition to, deletion of, or transfer of any item; provided, that total amended estimated expenditures do not exceed total anticipated revenue. Emergency appropriations may be made by council for the protection of public health, safety, or welfare upon recommendation of the Finance Committee. (Amended 7-11-06)

**§ 4-105 Failure to adopt a budget.**

Should council fail to adopt a budget by the beginning of a fiscal year, the town shall operate on the current fiscal year budget until final adoption of the new budget.

## Article II

### Fund Management

#### § 4-201 Deposits and disbursements.

~~All revenues and funds received by any town employee or official from any source shall be deposited to the credit of the town in a bank designated by council. Disbursement shall be made by voucher check signed by the town administrator and countersigned by a member of council so designated.~~

All revenues and funds received by any town employee or official from any source shall be deposited to the credit of the town in a bank designated by council. Disbursement shall be made by voucher check signed by the Finance Committee Chairman or the Mayor and countersigned by a member of council so designated.

(Amended 7-11-06)

#### § 4-202 Monthly financial report.

~~The town administrator shall make a monthly financial report to council showing receipts and disbursements for each department.~~

The town clerk shall make a monthly financial report to council showing receipts and disbursements for each department. (Amended 7-11-06)

#### § 4-203 Investment of funds.

~~The town Administrator shall establish guidelines for investment of town funds. A summary report of transactions shall be made to council annually. All investments must be made in securities authorized by S.C. Code § 6-5-10.~~

The town clerk shall follow established guidelines for the investment of town funds. A summary report of transactions shall be made to council annually. All investments must be made in securities authorized by S.C. Code § 6-5-10. (Amended 7-11-06)

**§ 4-204 Annual audit.**

~~Prior to the end of each fiscal year, council shall designate a disinterested qualified certified public accountant to conduct an audit of the financial affairs of the town and make a report to the town administrator and council.~~

Prior to the end of each fiscal year, council shall designate a disinterested qualified certified public accountant to conduct an audit of the financial affairs of the town and make a report to the town council. (Amended 7-11-06)

**Article III**

**Taxation**

RESERVED.

**Article IV**

**Business Licenses**

**§ 4-401 Business license ordinance published separately.**

The business license ordinance requiring persons engaged in business within the town to obtain a business license and pay a license tax, shall be published in a separate volume, a copy of which shall be maintained by the town clerk and filed as Appendix C to this Code.

## Article V

### Procurement

#### **§ 4-501 Procurement code adopted; administration.**

~~The provisions of this Article are adopted pursuant to S.C. Code § 11-35-50, and may be referred to as the "Town Procurement Code." The Procurement Code shall be implemented by the town administrator who is authorized to issue regulations for procurement consistent with this Code.~~

The provisions of this Article are adopted pursuant to S.C. Code § 11-35-50, and may be referred to as the "Town Procurement Code." The Procurement Code shall be implemented by the town clerk who is authorized to issue regulations for procurement consistent with this Code. (Amended 7-11-06)

#### **§ 4-502 Purchasing agent.**

The mayor shall appoint the town purchasing agent.

#### **§ 4-503 Compliance with state or federal requirements.**

Where a procurement involves expenditure of state or federal funds subject to procurement regulations which are more restrictive than the town Procurement Code, the state or federal regulations shall be followed.

#### **§ 4-504 Competitive bidding; exceptions.**

All town contracts shall be awarded by competitive sealed bidding except contracts for the following procurements:

- (1) professional services where the person engaged is customarily employed on a fee basis rather than competitive bidding (e.g., appraiser, architect, auditor, consultant, engineer, legal services, physician);
- (2) proposals invited on a competitive sealed basis;
- (3) negotiations after unsuccessful competitive sealed bidding;
- (4) small purchases under \$500;

- (5) procurements under \$1,500 documented by written quotations from two (2) qualified sources of supply and a written determination by the purchasing agent that the procurement is to the advantage of the town;
- ~~(6) procurements exceeding \$1,500 but less than \$5,000 documented by written quotations from three (3) qualified sources of supply and a written determination by the purchasing agent and the town administrator that the procurement is to the advantage of the town;~~
- (6) procurements exceeding \$1,500 but less than \$5,000 documented by written quotations from three (3) qualified sources of supply and a written determination by the purchasing agent and the town clerk that the procurement is to the advantage of the town; (Amended 7-11-06)
- (7) blanket purchase agreements approved by the purchasing agent for repetitive small purchases on a charge account basis not requiring a purchase order for each purchase;
- (8) sole source procurements approved by the purchasing agent when there is only a single supplier, compatibility of equipment or parts is the paramount consideration, the item is one of a kind, or the procurement is for printed material;
- (9) procurements in emergency situations declared by the Mayor to involve a threat to public health, safety, or welfare;
- (10) procurement of information technology;
- (11) leasing or purchasing of real property; or
- (12) purchasing through state contracts.

**§ 4-505 Bidding procedures.**

~~Procedures promulgated by the town administrator shall provide for fair and equitable sealed bidding when applicable to procurements under this Article. An invitation to bid or request for proposals may be canceled by notice at any time prior to the opening of bids or proposals. The determination of award of a contract for more than \$5,000 to the low responsible bidder shall be made by council after receiving the recommendation of the town administrator. All invitations to bid shall include the provision that the town reserves the right to reject all bids. A tie bid shall be awarded to the firm selected by a majority vote of council.~~

Procedures promulgated by the town council shall provide for fair and equitable sealed bidding when applicable to procurements under this Article. An invitation to bid or request for proposals may be canceled by notice at any time prior to the opening of bids or proposals. The determination of award of a contract for more than \$5,000 to the low responsible bidder shall be made by council after receiving the recommendation of the Purchasing Agent. All invitations to bid shall include the provision that the town reserves the right to reject all bids. A tie bid shall be awarded to the firm selected by a majority vote of council. (Amended 7-11-06)

**§ 4-506 Protests.**

Invitations to bid shall include procedures for the filing of protests by an actual or prospective bidder who is aggrieved in connection with the solicitation or award of a contract.

**§ 4-507 Debarment or suspension.**

~~The purchasing agent may issue a notice of debarment or suspension to a person or firm upon a determination, after reasonable notice and an opportunity to be heard, that there is cause for doing so in the best interest of the town. The determination of the purchasing agent may be appealed to council by written notice filed with the town administrator within ten (10) days after receipt of the determination. The causes for debarment or suspension shall include, but not be limited to:~~

The purchasing agent may issue a notice of debarment or suspension to a person or firm upon a determination, after reasonable notice and an opportunity to be heard, that there is cause for doing so in the best interest of the town. The determination of the purchasing agent may be appealed to council by written notice filed with the town clerk within ten (10) days after receipt of the determination. The causes for debarment or suspension shall include, but not be limited to: (Amended 7-11-06)

- (1) conviction of a criminal offense incident to obtaining or attempting to obtain a public or private contract, or in the performance of such contract;
- (2) conviction for embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or professional honesty which currently, seriously, and directly affects responsibility as a town contractor;
- (3) conviction under antitrust laws arising out of submission of bids or proposals;
- (4) a recent deliberate failure without good cause to perform in accordance with the terms of a contract;
- (5) any other cause determined to be so serious and compelling as to affect responsibility as a town contractor, including debarment by another governmental entity.