

**TOWN OF HOLDEN BEACH  
ORDINANCE 16-07**

**AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, CHAPTER 30: TOWN GOVERNMENT AND OFFICIALS (§30.25)**

**BE IT ORDAINED BY** the Town BOC of Holden Beach, North Carolina that the Holden Beach Code of Ordinances, Chapter 30: Town Government and Officials (§30.25), be amended as follows:

**Section One:** Amend Section 30.25 to read as follows (changes in italics):

**§ 30.25 COMMISSIONS, BOARDS, AGENCIES AND AUTHORITIES ESTABLISHED BY ORDINANCE OR UNDER THE AUTHORITY OF THE BOC**

Except as otherwise expressly provided for in these ordinances: (1) no person shall be appointed or elected by the BOC, or pursuant to any authority delegated by the BOC, as a voting or non-voting member or officer or other official of any commission, board, agency, authority or other similar group or body established by ordinance or otherwise under the authority of the BOC (other than committees and sub-committees of the BOC that are comprised only of members of the BOC or the Audit Committee of the BOC) who is member of the BOC; the Town Manager, Town Attorney, Town Clerk, Police Chief or any full or part-time employee of the town who reports to any of the foregoing; a contractor, consultant or other person providing good or services to the town in consideration of cash or other thing valued at more than \$1,000 in any one year or an officer or material owner thereof; or the spouse, domestic partner, child, parent or sibling of any of the foregoing; (2) no such person, once so appointed or elected, shall remain a member, officer or other official thereof, if such person is or subsequent to his or her appointment or election becomes any of the foregoing; and (3) all persons so elected or appointed shall be either residents of the town or owners of residential property located within the town.

In addition, without limiting the foregoing and notwithstanding any other provisions of these regulations to the contrary, none of the Town Manager, any employee of the town reporting to the Town Manager, the Town Clerk or the Town Attorney shall serve or function as the chairperson, vice chairperson, secretary or any similar capacity of (1) any commission, board, agency, authority or other similar group or body established by ordinance or otherwise under the authority of the BOC, or (2) any committee, working group or similar group thereof; provided, however that this shall not prevent any such persons from providing logistical and advisory support to such commission, board, agency, authority or other similar group or body or any committee, working group or similar group thereof, and such support shall be provided at the request of the chairperson or secretary thereof.

~~In addition, without limiting the foregoing and notwithstanding any other provisions of these regulations to the contrary: (1) no person shall be appointed or elected by the BOC as a voting or non-voting member or officer or other official of the Board of Adjustment; and (2) no such person, once so appointed or elected, shall remain a member, officer or other official thereof if such person is or subsequent to his or her appointment or election becomes: (A) a licensed real estate agent or an officer, owner or management employee of any licensed real estate agency doing any material business in the town; (B) a licensed construction or construction trades contractor or an officer,~~

~~owner or management employee of any licensed construction or construction trades contractor company doing any material business in the town; or (C) the spouse, domestic partner, child, parent or sibling of any of the foregoing.~~

**Section Two:** The Town Clerk is directed to forward this ordinance to American Legal Publishing for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

**Section Three:** This ordinance shall be effective the 9<sup>th</sup> day of March, 2016.

Adopted this the 8<sup>th</sup> day of March, 2016.

ATTEST:

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J. Alan Holden, Mayor

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Heather Finnell, Town Clerk