

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LANCASTER )

**ORDINANCE #369**

AN ORDINANCE TO AMEND THE TEXT OF THE UNIFIED DEVELOPMENT ORDINANCE; SPECIFICALLY,  
SECTION 8.1.4.2, WITNESSES  
AND 8.1.2.4.5, CONDUCT OF HEARING  
(Board of Zoning Appeals);

WHEREAS, it is the recommendation of the Lancaster County Joint Planning Commission that the language in Sections 8.1.4.2 Witnesses, and 8.1.2.4.5. Conduct of Hearing (Board of Zoning Appeals) be modified to require that all testimony given before the Board of Zoning Appeals be given under oath (sworn testimony);

NOW, THEREFORE, BE IT ORDAINED by the Lancaster County Council that the following text be adopted and shall replace the current text in the UDO:

**Section 8.1.2.4.2 Witnesses.**

Anyone giving testimony before the Board of Zoning Appeals shall present testimony under oath. Witnesses may be compelled to attend by subpoena requested at least ten (10) days prior to a hearing and signed by the chairman. The Board may call its own witnesses when deemed appropriate.

**Section 8.1.2.4.5 Conduct of Hearing.**

All testimony given before the Board shall be given under oath. The normal order of hearing, subject to modification by the chairman, shall be:

- a. Statement of matter to be heard (chairman or secretary);
- b. Presentation by applicant (5-minute limit);
- c. Presentation by official appealed (5-minute limit);
- d. Presentation by proponents (5-minute limit);
- e. Rebuttal by applicant (5-minute limit);
- f. Public comment when appropriate;
- g. The Board may question participants at any point in the hearing;
- h. Matters in which additional time is granted may be moved to the end of the agenda.

AND IS SO ORDAINED this 28th day of February, 2000.

LANCASTER COUNTY COUNCIL

Ray E. Gardner, Chairman

Polly C. Jackson, Secretary

Approved as to form and content:

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William R. Sims, County Attorney

ATTEST:

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Irene Plyler, Clerk to Council

1<sup>st</sup> reading: 01-31-2000  
2<sup>nd</sup> reading: 02-07-2000  
3<sup>rd</sup> reading: 02-28-2000