

CLARENDON COUNTY  
ORDINANCE NO. 2022-08

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DATE

11/16/22

*Beulah A. Roberts*

CLERK OF COURT  
CLARENDON COUNTY, SC

AN ORDINANCE BY CLARENDON COUNTY COUNCIL AUTHORIZING THE ACCEPTANCE OF THE TRANSFER OF AUTHORITY FOR CONDUCTING MUNICIPAL ELECTIONS FOR THE TOWN OF PAXVILLE, SOUTH CAROLINA TO THE CLARENDON COUNTY VOTER REGISTRATION AND ELECTION COMMISSION TO DEFINE THE POWERS, DUTIES AND RESPONSIBILITIES ASSUMED BY THE CLARENDON COUNTY VOTER REGISTRATION AND ELECTION COMMISSION FOR THE CONDUCT OF MUNICIPAL ELECTIONS IN THE TOWN OF PAXVILLE; TO PROVIDE FOR REIMBURSEMENT OF ALL COSTS AND EXPENSES INCURRED BY THE CLARENDON COUNTY VOTER REGISTRATION AND ELECTION COMMISSION IN THE CONDUCT OF SUCH MUNICIPAL ELECTIONS; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

WHEREAS, S.C. Code 1976, § 5-15-145 provides for the transfer of the powers, duties, and responsibilities for conducting municipal elections from the municipal election commissions to county election commissions upon the adoption of appropriate ordinances by those municipalities desiring to effect such transfer;

WHEREAS, the Town of Paxville, South Carolina (the "Town") desires to transfer all authority for conducting municipal elections of the Town of Paxville to the Clarendon County Voter Registration and Election Commission (the "Commission");

WHEREAS, the Town adopted an ordinance dated August 14, 2012, pursuant to S.C. Code 1976, § 5-15-145 which transferred all authority for conducting municipal elections within its jurisdiction to the Commission;

WHEREAS, Clarendon County Council finds that the Commission is willing to assume the transfer of the powers, duties, and responsibilities for conducting municipal elections in the Town upon the terms and conditions contained in this ordinance; and

WHEREAS, Clarendon County Council finds that it is proper, appropriate, and in the public interest for the Clarendon County Council to adopt an ordinance accepting the transfer of authority for conducting municipal elections from the Town to the Commission, on the terms and conditions herein contained.

**NOW, THEREFORE, CLARENDON COUNTY COUNCIL ORDAINS:**

Section 1. The Clarendon County Council, as the governing body of Clarendon County, South Carolina, hereby accepts authority for conducting municipal elections in the Town and such authority is hereby transferred to the Commission in the following particulars:

- (a) The Commission shall conduct the municipal elections for the Town in accordance with Title 7 of the S.C. Code of Election Laws unless otherwise specified by Title 5. The Commission

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Beulah Roberts, Clerk - Clarendon S.C.

will certify the results of each election to the municipality immediately following the certification of the votes cast in each election;

- (b) The Commission shall advertise municipal elections, prepare and distribute ballots and election materials, appoint managers of election for each polling place, and otherwise supervise and conduct all municipal elections within the Town;
- (c) Immediately upon the closing of the polls at any municipal election in the Town, the Commission shall begin to count and continuously count the votes cast and make a statement of the whole number of the votes cast in such election together with the number of votes cast for each candidate for mayor and councilperson, canvas the vote and publicly display the unofficial results;
- (d) The Commission shall thereafter certify the results of the elections and transmit the certified results to the Town or an appointed authority representing the town government as soon as practicable following the certification;
- (e) The Commission shall take such other action as may be necessary or appropriate to conduct municipal elections and certify the results;
- (f) The Town shall reimburse the Commission for all costs incurred in providing ballots, advertising elections, printing costs, postage, transportation costs, temporary help, programming charges, poll managers' compensation, and other related additional expenses incurred in its conduct of municipal elections for the Town in accordance with the fee schedule adopted by the Commission;
- (g) Poll managers will be paid at the standard rate set by the South Carolina Election Commission for all other elections. In the event a protest is filed, or litigation is commenced in connection with the conduct of municipal elections, the Town shall pay all fees, costs and expenses incurred in such protest or litigation; and
- (h) The Commission shall provide invoices and/or other documentation to the Town of all such costs and expenses incurred in the conduct of Town municipal elections, protests, certification of results, litigation or other costs which may be incurred not specifically mentioned in this ordinance.

Section 2. The provisions of the Ordinance are separable. If any part of this Ordinance is for any reason unenforceable, then the validity of the remainder of this Ordinance is unaffected.


Section 3. *General Repealer.* Any ordinance, resolution, or other order of County Council, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 4. *Effectiveness.* This Ordinance shall take effect immediately upon adoption of third and final reading and following the conduct of two public hearings, following publication of the same.

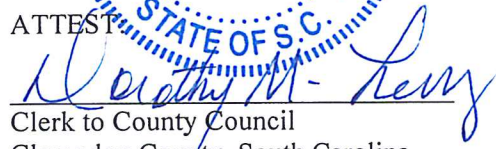
Adopted by Clarendon County, South Carolina at a duly noticed meeting of Clarendon County Council this 14th day of November, 2022



CLARENDON COUNTY, SOUTH CAROLINA

  
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Chairman, County Council,  
Clarendon County, South Carolina

ATTEST

  
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Clerk to County Council  
Clarendon County, South Carolina

READINGS:

- First Reading: 09-14-2022
- Second Reading: 10-10-2022
- Public Hearing: 11-14-2022
- Third Reading: 11-14-2022