ORDINANCE NO. 18-013

AN ORDINANCE TO AMEND CHAPTER 37: ELECTIONS OF THE CITY OF GOOSE CREEK, SOUTH CAROLINA CODE OF ORDINANCES BY REVISING AND MAKING CHANGES TO THE FOLLOWING SECTIONS: 37.03 WHEN ELECTIONS TO BE HELD; 37.05 POLLING PLACE, LOCATION AND TIME OPEN AND CLOSED; AND 37.07 DETERMINATION OF ELECTION RESULTS UNDER NON-PARTISAN ELECTION RUNOFF ELECTION METHOD

WHEREAS, the City of Goose Creek believes citizen participation in the elections is instrumental to a well-functioning government;

WHEREAS, the City of Goose Creek's ordinances currently provide for municipal elections to be held on the first Tuesday following the first Monday in April in each even numbered year and the normal polling location is the Marguerite H. Brown Municipal Center;

WHEREAS, the City of Goose Creek, through its elected Mayor and City Council members, believes greater participation would result if the date of the election for municipal officers were changed to coincide with the general election and for voting to occur at the normal voting locations used during the general election;

WHEREAS, the City of Goose Creek, through its elected Mayor and City Council also wish to change from a nonpartisan runoff system to a nonpartisan plurality method of determining the winner consistent with South Carolina Code § 5-15-61;

WHEREAS, to facilitate a change in date of municipal elections from April to the general election date in November, the Mayor and Council members elected in 2018 will serve until their successors are sworn in as a result of the election held in November of 2022. The Council members elected in 2016 will serve until their successors are sworn in after the election held in November 2020. Should any vacancy occur prior to these dates, the elected successor shall serve the remainder of the term of the official they are replacing.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and City Council of the City of Goose Creek, South Carolina, in Council duly assembled, that the Code of Ordinances of the City of Goose Creek, South Carolina, shall be and are hereby amended as follows:

Section 37.03 governing when elections shall be held shall be deleted in its entirety and in its place the following section shall appear:

§ 37.03 WHEN ELECTIONS TO BE HELD.

The municipal general election for Mayor and Council shall be held on the first Tuesday following the first Monday in November in even numbered years and it is the intent of this provision that the municipal election coincide with the general election for Federal, State, and County officers and if there be any postponement of the general election as a result of emergency or disaster, then at such time as the general election is held.

Section 37.05 governing location of polling places shall be deleted in its entirety and in its place the following section shall appear:

§ 37.05 POLLING PLACE, LOCATION AND TIME OPEN AND CLOSED.

The location of the polls and the hours of opening and closing the polls shall be according to the general election laws of the state at such locations as may be published prior to the election.

Section 37.07 governing the method of determining the winner via a runoff method shall be deleted in its entirety and it its place the following section shall appear:

§ 37.07 DETERMINATION OF ELECTION RESULTS UNDER NONPARTISAN PLURALITY METHOD.

The winners shall be determined by the nonpartisan plurality method set forth in South Carolina Code § 5-15-61;

(A) When more than one person is seeking election to a single office, the candidate who receives the highest number of votes shall be declared elected.

(B) When more persons are seeking election to two or more offices (constituting a group) than there are offices to be filled, those candidates receiving the highest number of votes, equal in number to the number of offices to be filled, shall be declared elected.

All ordinances and provisions in conflict herewith are hereby repealed, and if any sentence, clause, phrase or word contained herein shall be held invalid, such invalidity shall not affect the validity of the remainder of this ordinance.

This ordinance shall be effective on the date of final reading.

INTRODUCED the 12th day of June 2018.

DONE the 10th day of July 2018.

Mayor Gregory S. Habib

Attest:
Kelly J. Lovette, MMC, City Clerk

Councilmember Debra Green-Fletcher

Councilmember Kevin M. Condon

Councilmember Brandon L. Cox

Councilmember Corey McClary

Councilmember Jerry Tekac

Vacant Councilmember Seat