

**AN ORDINANCE
APPROVING AND ACCEPTING THE COMPLETE TRANSFER OF AUTHORITY TO
CONDUCT MUNICIPAL ELECTIONS FOR THE CITY OF NORTH CHARLESTON TO
THE BOARD OF ELECTIONS AND VOTER REGISTRATION OF CHARLESTON
COUNTY, AND AMENDING ORDINANCE NUMBER 1499 OF CHARLESTON
COUNTY TO PROVIDE FOR THE SAME**

WHEREAS, Section 5-15-145, Code of Laws of South Carolina, 1976, as amended, allows for the transfer of some or all authority to conduct municipal elections from municipal election commissions to county election commissions upon the adoption of appropriate ordinances by those desiring to effect such transfer; and

WHEREAS, by Charleston County Ordinance Number 1499, the Board of Elections and Voter Registration of Charleston County accepted a specific portion of authority to conduct municipal elections in the City of North Charleston as set forth in Ordinance Number 2007-11 of the City of North Charleston; and

WHEREAS, City Council of the City of North Charleston has now determined that complete authority to conduct municipal elections be transferred to the Board of Elections and Voter Registration of Charleston County, and the City Council of the City of North Charleston has adopted Ordinance Number 2015-28 on July 9, 2015, to effect that transfer. The City of North Charleston Ordinance Number 2015-28 is attached as Exhibit "A" and made a part by reference; and

WHEREAS, Charleston County Council desires to enact an ordinance approving and accepting the complete transfer of authority to conduct municipal elections for the City of North Charleston to the Board of Elections and Voter Registration of Charleston County, and amends Charleston County Ordinance Number 1499 to provide for the same.

NOW, THEREFORE BE IT ORDAINED, by Charleston County Council of the County of Charleston in meeting duly assembled, as follows:

The above recitals are incorporated herein by reference and made a part of this Ordinance. City Council of the City of North Charleston adopted Ordinance Number 2015-28 on July 9, 2015, to effect the transfer of complete authority to conduct municipal elections for the City of North Charleston to the Board of Elections and Voter Registration of Charleston County.

Charleston County Council approves and accepts the complete transfer of authority to conduct municipal elections for the City of North Charleston to the Board of Elections and Voter Registration of Charleston County. Therefore, the Board of Elections and Voter Registration of Charleston County shall conduct the municipal

elections in accordance with Title 7, Code of Laws of South Carolina, 1976, as amended, unless otherwise provided in or modified by Title 5, Code of Laws of South Carolina, 1976, as amended.

AND, THEREFORE BE IT FURTHER ORDAINED, by Charleston County Council of the County of Charleston in meeting duly assembled, as follows:

Charleston County Ordinance Number 1499 is hereby amended to include the following amendment to Section 1.

Section 1. In accordance with the authority devolved by Section 5-15-145, Code of Laws of South Carolina, 1976, as amended, and pursuant to the terms of North Charleston Ordinance Numbers 2007-11 and 2015-28, Charleston County Council approves and accepts the complete transfer of authority to conduct municipal elections for the City of North Charleston to the Board of Elections and Voter Registration of Charleston County. The Board of Elections and Voter Registration of Charleston County shall be completely responsible for municipal elections held within the City of North Charleston. The authority here transferred includes, but is not limited to, addressing all disputes and questions that arise out of the election process, publishing proper notices of elections, insuring the provision of proper books for registration, preparing and distributing ballots and election materials, preparing and staffing the absentee ballot precinct, appointing and training poll managers, providing voting machines, supervising the operation of all polling places, to include enforcement authority to insure that proper procedures and laws are being followed, and certifying the results of the election. All elections conducted by the Board of Elections and Voter Registration of Charleston County shall be in accordance with Title 7, Code of Laws of South Carolina, 1976, as amended, unless otherwise provided in or modified by Title 5, Code of Laws of South Carolina, 1976, as amended.

If, for any reason, any part of this Ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this Ordinance shall remain in full force and effect.

This Ordinance shall become effective immediately following third reading by Charleston County Council.

ADOPTED and APPROVED in meeting duly assembled this 25th day of August 2015.

CHARLESTON COUNTY COUNCIL

By: _____
J. Elliott Summey
Chairman of Charleston County Council

ATTEST:

By: _____

Beverly T. Craven
Clerk of Charleston County Council

Exhibit "A"

City of North Charleston Ordinance Number 2015-28
adopted July 9, 2015