

**AN ORDINANCE TO TRANSFER AUTHORITY TO CONDUCT THE TOWN OF ATLANTIC BEACH MUNICIPAL ELECTIONS TO THE HORRY COUNTY REGISTRATION AND ELECTIONS COMMISSION AS SOON AS APPROVED BY HORRY COUNTY**

BE IT ORDAINED by the Town Council of the Town of Atlantic Beach, in Council assembled:

**SECTION 1**

That this Ordinance is being adopted in order to effect proper compliance with the provisions of the Home Rule Act of 1975, now South Carolina Code of Laws for 1976, Section 5-7-30, Section 5-7-260, and Section 5-15-145 and Ordinance No. 2-2023 of the Town of Atlantic Beach, South Carolina.

**SECTION 2**

That Section 1-7-3, Elections Commission, of the Ordinances of the Town of Atlantic Beach, is amended by the following revisions, changes and/or additions:

**WHEREAS**, Section 5-15-145 of the South Carolina Code of Laws, 1976, as amended, provides for the transfer of the powers, duties and responsibilities for conducting municipal elections from municipal election commissions to county election commissions upon the adoption of appropriate ordinances by those municipalities desiring to effect such transfer; and

**WHEREAS**, the Town of Atlantic Beach desires to transfer all authority for conducting municipal elections to the Horry County Board of Voter Registration & Elections effective immediately.

**Now, THEREFORE, BE IT ORDAINED** by the Governing Body of the Town of Atlantic Beach duly assembled in council this 4<sup>th</sup> day of March, 2024, that all authority for the conducting of municipal elections is hereby transferred to the Horry County Board of Voter Registration & Elections in the following particulars:

1. The Horry County Board of Voter Registration & Elections 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 of Atlantic Beach.
2. Immediately upon the closing of the polls at any municipal election in the Town of Atlantic Beach, the Horry County Board of Voter Registration & Elections shall begin to count and continuously count the votes cast and make a statement of the whole number of votes cast in such election together with the number of votes cast for each candidate for Mayor and Councilperson, canvass the vote and publicly display the unofficial results.
3. The Horry County Board of Voter Registration & Elections shall thereafter certify the results of the elections and transmit the certified results to the Town of Atlantic Beach Council or an appointed authority representing the city government as soon as practical following the certification.
4. Accept candidate filings and filing fees including, but not limited to, notices of candidacy, candidacy pledges, hear and decide protests and certify the results of municipal elections.
5. Utilize an Automated Election System and computer counting with the count publicly conducted.

**BE IT FURTHER ORDAINED** that this ordinance shall take effect upon the n successful completion of the following necessary actions prerequisite under federal and state law to effect the changes called for hereunder:

(A) Adoption of this Ordinance accepting the authority being transferred hereunder, and

(B) Submission to the United States Justice Department and subsequent receipt of pre-clearance for the transfer of authority for conducting municipal elections which would be effected hereunder.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED.**

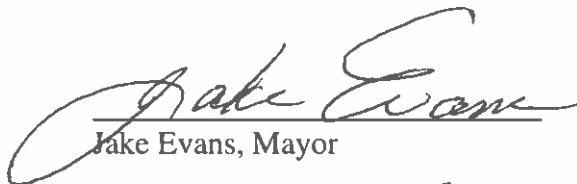
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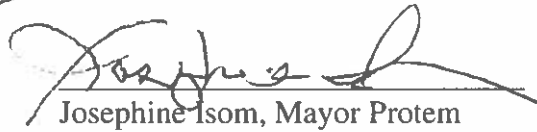
  
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Town Clerk

  
\_\_\_\_\_  
Town Manager

**First Reading:** March 4, 2024

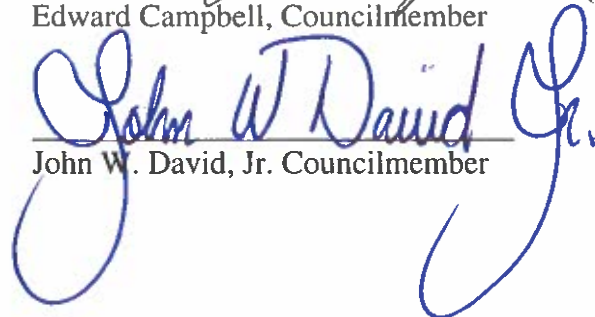
**Second Reading:** April 1, 2024

  
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Jake Evans, Mayor

  
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Josephine Isom, Mayor Protem

  
\_\_\_\_\_  
Jacqueline Gore, Councilmember

  
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Edward Campbell, Councilmember

  
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John W. David, Jr. Councilmember