

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
TOWN OF ATLANTIC BEACH)

**AMENDMENT TO ORDINANCE NO. 2-2015 ESTABLISHNG AND ADOPTING THE ELECTIONS
ORDINANCE OF THE TOWN OF ATLANTIC BEACH, SOUTH CAROLINA COMPREHENSIVE,
GOVERNMENT AND ADMINISTRATION ORDINANCE TITLE 1, CHAPTER 7, 1997 AND ELECTION
ORDINANCE NO. 2-89 CHAPTER 52 STATEMENT OF CANDIDACY ELECTION REGISTRATION FEES**

WHEREAS, the Town of Atlantic Beach (the “Town”) desires to amend the Comprehensive Government and Administration Election Ordinance Title 1 Chapter 7, 1997 and Election Ordinance No. 2-89, Chapter 52.

NOW, THEREFORE, BY THE POWER AND AUTHORITY by the Mayor and Town Council of the Town of Atlantic Beach, South Carolina affirms the following:

SECTION 1. Amendment to Town Code: The Code of Ordinances for the Town of Atlantic Beach is hereby amended by the substitution of the following language therefore from Chapter 7.

- Sec. 1-7-1 Terms of Office
- Sec. 1-7-2 Method of Elections
- Sec. 1-7-3 Election Commission
- Sec. 1-7-4 Nonpartisan Elections; Procedure
- Sec. 1-7-5 Time of Elections; Notice
- Sec. 1-7-6 Time of taking office, contested elections

Sec. 1-7-1 TERMS OF OFFICE

- (a) The Mayor and Council Member shall be elected for a term of four (4) years.
- (b) The terms of office of Council Members shall be staggered, so that one-half (1/2) of the Council Members shall be elected every two (2) years as now provided and each Council Member shall hold office until his term expires. (Ord. of 8-8-77).

Sec. 1-7-2 METHOD OF ELECTION

- (a) The Mayor shall be elected by the Town at large.
- (b) The Members of Council shall be elected by the Town at large. (Ord. of 8-8-77)

Sec. 1-7-3 ELECTION COMMISSION

- (a) The Council shall appoint an Election Commission, which shall have the Powers, functions and duties as prescribed by State Law.
- (b) Commission appointees shall serve for a term of six (6) years, provided that initial appointments shall be made in a manner to prove for staggered terms and

in accordance with State Law. (Ord. of 8-8-77, as amended by Ord. 2-89 of 7-10-89).

State Law Reference: Municipal Election Commission, D.S.C. Code of Laws, Sec. 5-15-90, et seq.

Sec. 1-7-4 NONPARTISAN ELECTIONS, PROCEDURE

- (a) All regular and special election for the offices of Mayor and Council Members shall be Nonpartisan General Elections pursuant to State Law.
- (b) Each person offering as a candidate for election to any office shall do so by filing a notice of candidacy commission not more than 75 days nor less than 60 days prior to date for the election. The notice of candidacy shall be in substantially the following form.

STATEMENT OF CANDIDACY

I, the undersigned, am a citizen and a registered voter in the Town of Atlantic Beach, South Carolina, and hereby file for the office of _____ and request that my name be placed on the ballot in the (General/Special) Municipal Election to be held in November _____, 20 _____

Signature

Address

Date

- (c) Upon receipt of notice of candidacy, the Election Commission shall place the name of the candidate upon the ballot.
- (d) A second election shall be conducted two (2 weeks) after the first election between one (1) more than the number of candidates necessary to fill offices for which no candidates received a majority of the votes cast and the second election shall be between the candidates receiving the largest number of votes in the first election. The candidates receiving a majority of votes cast in the second election shall be declared elected.
- (e) No political party affiliation shall be placed on any ballot for any candidate (Ord. of 8-8-77, as amended by Ord. No. 2-89, 7-10-89).
- (f) Fees for candidates: Mayor \$300.00 and Council Members \$150.00.

Sec. 1-7-5 TIME OF ELECTIONS NOTICE

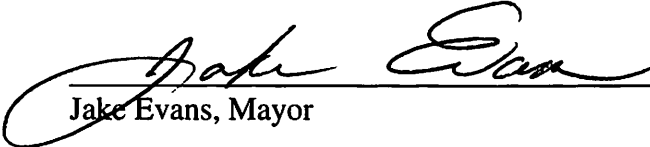
- (a) Elections for Town Officials shall be held in odd numbered years on the first Tuesday after the first Monday in November.

- (b) The Town Clerk shall give two public notices of the General Election the first at least 60 days prior to the date of the election and the second not later than 14 days in a newspaper of general circulation in the Area: SC Code Sec. 5-15-50 and 7-13-35.

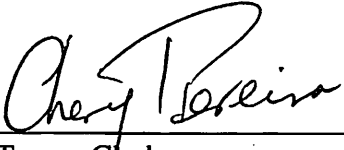
Sec, 1-7-6 TIME OF TAKING OFFICE, CONTESTED ELECTION

- (a) Newly elected officials after being sworn in, shall take office on the first General Session Meeting in January following the elections, or those officials elected at any special election shall take office as soon after the time for Protest has passed as is convenient.
- (b) If the results of the election are contested, the incumbent who fill that contested office shall hold over until the contest is finally determined. (Ord. of 8-8-77, as amended by Ord. No. 2089, 7-10-89).

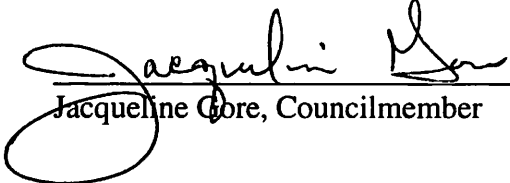
DONE AND ORDAINED IN COUNCIL ASSEMBLED ON THE 6TH DAY OF MARCH, 2023.



Jake Evans, Mayor

Attest:


Town Clerk


Josephine Isom, Mayor Pro Tem


Jacqueline Gore, Councilmember


Town Manager

Edward Campbell, Councilmember

First Reading: February 13, 2023

Second Reading: March 6, 2023