STATE OF SOUTH CAROLINA )
COUNTY OF SALUDA )

ORDINANCE NO. 07-22

AN ORDINANCE TO CALL A PUBLIC REFERENDUM IN SALUDA COUNTY, SOUTH CAROLINA TO DETERMINE WHETHER THE QUALIFIED ELECTORS WISH TO KEEP THE PRESENT COUNCIL FORM OF GOVERNMENT WITH FIVE (5) COUNCIL MEMBERS OR ADOPT THE COUNCIL-ADMINISTRATOR FORM OF GOVERNMENT WITH FIVE (5) COUNCIL MEMBERS.

WHEREAS, in accordance with Section 4-9-10 of the South Carolina Code of Laws, 1976, as amended, Saluda County has adopted the Council form of government; and

WHEREAS, the Saluda County Council is currently composed of five members, the chair of which is elected at-large, and the remaining four are elected from single member election districts; and

WHEREAS, Section 4-9-10 of the South Carolina Code of Laws, 1976, as amended, sets out the procedure for changing the form of county government; and

WHEREAS, Section 4-9-10 of the South Carolina Code of Laws, 1976, allows the governing body of Saluda County to call for a referendum to ask qualified voters whether they wish to change the form of county government, number of council members, or methods of election or retain the existing form of county government, number of council members, or method of election; and

WHEREAS, Section 4-9-10 of the South Carolina Code of Laws, 1976, as amended, provides that a change in the form of county government, number of council members, or method of election of council, including the chairman, as a result of a referendum shall not become effective unless such proposed change receives a favorable vote from the majority of those persons voting in a referendum; and

WHEREAS, Saluda County desires to adopt an ordinance providing for an election giving the electors of Saluda County by referendum the choice of retaining the present Council form of government with five (5) council members, the chair of which is elected at-large and the remaining
four (4) are elected from single member election districts, or adopting the Council-Administrator form of government with five (5) council members, the chair of which is elected at-large and the remaining four (4) are elected from single member election districts; and

WHEREAS, Saluda County would like this question to be added to the ballot for the next general county election occurring on November 8, 2022; and

WHEREAS, if this proposed change in form of government receives a favorable vote from the majority of those persons voting in the referendum, then the Council-Administrator form of government shall become effective January 1, 2023.

NOW, THEREFORE, BE IT ORDAINED, by the Saluda County Council that:

SECTION 1.

A referendum in which the change in form of county government from Council form of government to Council-Administrator form of government will be considered shall occur as part of the general county election occurring on November 8, 2022. This election shall be conducted by Saluda County Elections and Voter Registration, as provided by law. Saluda County Elections and Registration shall have ballots printed and distributed to the various voting places in Saluda County with the following words printed thereon:

A REFERENDUM TO DETERMINE CHANGE IN FORM OF COUNTY GOVERNMENT

“SHOULD SALUDA COUNTY CHANGE TO COUNCIL-ADMINISTRATOR FORM OF COUNTY GOVERNMENT OR RETAIN ITS CURRENT COUNCIL FORM OF COUNTY GOVERNMENT?”

A YES vote is in favor of Saluda County adopting a new form of county government, Council-Administrator with five (5) council members, the chair of which is elected at-large and the remaining four (4) are elected from single member election districts;
A NO vote is in favor of retaining the current Council form of county government, opposing the change from Council form of county government to Council-Administrator form of county government.

YES

NO

SECTION II.

Saluda County Elections and Voter Registration shall certify the results of the referendum with Saluda County Elections and Voter Registration and the Clerk of Court for Saluda County, in addition to all other agencies to which it may be required to report.

SECTION III.

Should the present form of government receive a favorable vote from the majority of those persons voting in the referendum, the present form of county government shall continue without further action of Saluda County Council.

Should the Council-Administrator form of county government with five (5) council members, the chair of which is elected at-large and the remaining four (4) are elected from single member election districts, receive a favorable vote from the majority of those persons voting in the referendum, then the Saluda County Council shall pass an ordinance establishing the new form of government in accord with the majority favorable vote of the electors. The Saluda County Council shall further employ a county administrator to serve as the administrative head of county government pursuant to Section 4-9-620 of the South Carolina Code of Laws, 1976, as amended.
SECTION IV.

This ordinance shall take effect immediately upon adoption of the third and final reading in accordance with the law.

ATTEST: ________________________________

SALUDA COUNTY COUNCIL

______________________________
Regina Turner
Clerk to Council

BY: ________________________________
Justin Anderson
Its Vice Chairman

First Reading: May 9, 2022
Second Reading: June 13, 2022
Public Hearing:
Third Reading: