

AN ORDINANCE

WHEREAS; the Mayor and Council Being Duly Assembled on this 27th day of July, 2022, do hereby enact an ordinance to re-schedule the special election until the General Election on November 8, 2022.

WHEREAS; two (2) vacancies were created on City Counsel by reason of resignation, on July 11, 2022;

WHEREAS, S.C. Code 7-13-190(A) provides that, “except as otherwise provided in this code as to specific offices,” a special election must be held to fill said vacancies in accordance with the timing requirements set forth therein.

WHEREAS, S.C. Code 7-13-190(C) applies to nonpartisan elections, and provides for a special election to be held on the thirteenth Tuesday after the vacancy occurs.

WHEREAS, said thirteenth Tuesday following the vacancies was October 6, 2022, and the City called and noticed a special election for such date.

WHEREAS; the filing period for those vacancies have expired with no qualified candidates to apply.

WHEREAS; A special Election to fill a third vacancy, which occurred prior to the other two, is scheduled for August 2, 2022, at great effort and expense to the City of Liberty.

WHEREAS, SC Code 5-15-50 provides that a “municipal governing body may by ordinance establish municipal ward lines and the time for general and special elections within the municipality,” which is a method “otherwise provided in this code” as to municipal elected offices, and allows the City to reasonably vary the timing requirements of SC Code 7-13-190 for good reason.

WHEREAS; having a second special election on October 4, 2022, for write-in candidates only, would be an additional tremendous expense to the City;

WHEREAS; the City has good and valid reason to delay said special election until the November 8, 2022 General Election, to wit: to allow for the emergence of additional candidates, to save tremendous effort and expense of the City in conducting a special election, and to certainly have a larger voter turnout, which results would more fully reflect the will of the Citizens of the City of Liberty,

WHEREAS; for said good and valid reasons, the City, by virtue of S.C. Code 5-15-50, shall not strictly adhere to Section 7-13-190, and under authority given shall set a specific time for general and special elections, not consistent with the strict timelines of Section 7-13-190, but in the best interest of the Citizens and the City, set the election as follows:


NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF LIBERTY, SOUTH CAROLINA; being duly assembled do establish the following dates for the Special Election to fill two (2) said vacancies of City Counsel, as follows:

NOVEMBER 8, 2022, to be done simultaneously with the General Election for the offices within State of South Carolina, the County of Pickens, and offices for the Federal Government of the United States of America.

NOW, THEREFORE; having set the date, Counsel directs the proper officials with the City of Liberty to inform the Board of Registration and Elections for Pickens County to generate the ballots for the vacancies accordingly to the provisions in the Ordinances for the City of Liberty, and render a just and fair election to fill said vacancies as prescribed by law.

DONE AND RATIFIED BY THE MAYOR AND COUNCIL ON THIS 8 DAY OF August, 2022

7/27/2022 1st Reading 8/8/2022 2nd Reading



Erica Romo Woods, Mayor

ATTEST BY: Mandy K. Hess
Mandy K Hess, Clerk/Treasurer