

ORIGINAL
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RESOLUTION NO.: R-2023-003

Authorizing Notice of Special Election for City Council District 4

WHEREAS, a vacancy in office occurred in City Council District 4 on Thursday, December 29, 2022, which term ends on December 31, 2025; and,

WHEREAS, S.C. Code of Laws §5-7-200(b) requires that a vacancy in office shall be filled for the remainder of the unexpired term at the next regular election or at a special election if the vacancy occurs one hundred eighty days or more prior to the next general election; and,

WHEREAS, the City will conduct a special election to fill the vacancy in the District 4 Council seat; and,

WHEREAS, S.C. Code of Laws §5-15-10 requires that municipal primary, general and special elections shall be conducted pursuant to Title 7 of the *Code of Laws of South Carolina*, except as otherwise provided for specifically in Chapters 1 through 17; and,

WHEREAS, S.C. Code of Laws §7-13-190(C) requires that, for any nonpartisan office, a special election to fill a vacancy in office must be set for the thirteenth Tuesday after the vacancy occurs, in this instance will be March 28, 2023; and,

WHEREAS, S.C. Code of Laws §7-13-35 requires a first notice not later than 60 days before the election and a second notice not later than two weeks after the first notice; and,

WHEREAS, S.C. Code of Laws §7-13-190(C) requires that the filing of candidacy to fill the vacant public office be opened at noon on the third Friday after the vacancy occurs for a period to close 10 days later at noon, in this instance being the date of January 13, 2023, to open the filing and January 23, 2023, respectively; and,

WHEREAS, S.C. Code of Laws §7-13-35 requires that the authority charged by law with conducting an election must publish two notices of general, municipal, special, and primary elections held in the county in a newspaper of general circulation in the county or municipality, as appropriate. Included in each notice must be a reminder of the last day persons may register to be eligible to vote in the election for which notice is given, notification of the date, time, and location of the hearing on ballots challenged in the election, a list of precincts involved in the election, the location of the polling places in each of the precincts, and notification that the process of examining the return-addressed envelopes containing absentee ballots may begin at 7:00 a.m. on the second day immediately preceding election day at a place designated in the notice by the authority charged with conducting the election.

NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Columbia, South Carolina this 4th day of January, 2023, that Tuesday, March 28, 2023 has been set as the date for a special election to fill the vacant City Council District 4 seat; and,

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to publish Notice of the Election in conformity with State Law in The State Newspaper, and the City Clerk is directed to provide a copy of such notice to the South Carolina Ethics Commission.


Requested by:

Mayor and City Council

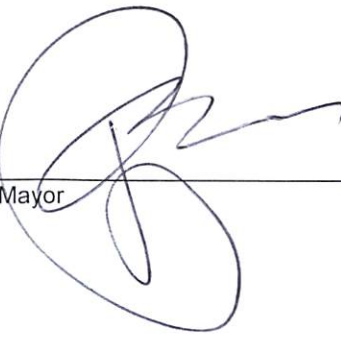
Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 1/4/2023
Final Reading: 1/4/2023


Mayor

ATTEST:


City Clerk