

CHAPTER 6

ELECTIONS¹

- Sec. 6-1. Adoption of non-partisan and run-off method.
- 6-2. At-large election of Town Council.
- 6-3. Determination of majority vote.
- 6-4. Run-off election procedure.
- 6-5. Regular election date and beginning of term of office.
- 6-6. Nominations by petition; contents of petition.
- 6-7. Notice of election date and deadline for filing.
- 6-8. Qualification of elected officers; procedure when results are contested.

Sec. 6-1. Adoption of non-partisan and run-off method.

All regular and special elections for the offices of Mayor and Town Council of the Town of Sullivan's Island held after this date shall be conducted under the non-partisan election and run-off election method as prescribed in Section 5-15-62, Code of Laws, as amended. (3-19-79)

Sec. 6-2. At-large election of Town Council.

Members of the Town Council shall be elected from the Town of Sullivan's Island at large. (3-19-79)

Sec. 6-3. Determination of majority vote.

Results in elections conducted on Sullivan's Island shall be determined by a majority of the votes cast. A majority within the meaning of this chapter shall be determined as follows:

A. When more than one person is seeking election to a single office, the majority shall be ascertained by dividing the total votes cast for all candidates by two. Any excess of the sum so ascertained shall be a majority and the candidate who obtains a majority shall be declared elected.

B. When more persons are seeking election to two or more offices (constituting a group) than there are offices to be filled, the majority shall be ascertained by dividing the total votes cast for all candidates by the number of offices to be filled and by dividing the results by two. Any excess of the sum so ascertained shall be a majority and the candidates who obtain a majority shall be declared elected. If more candidates obtain a majority than there are offices to be filled, those having the highest vote (equal to the number of offices to be filled) shall be declared elected.

¹ For parallel state law, see Title 5, Chapter 15, South Carolina.

Sec. 6-4. Run-off Election procedure.

If no candidate for a single office receives a majority of the votes cast in the first election or if an insufficient number of candidates receives a majority of the votes cast for a group of offices, a run-off election shall be held as herein provided:

A. If no candidate for a single office receives a majority of the votes cast in the first election, a second election shall be conducted two (2) weeks later between the two candidates receiving the largest number of votes in the first election who do not withdraw. The candidates receiving a majority of the votes cast in the run-off election shall be declared elected.

B. If two or more offices (constituting a group) are to be filled and aspirants for some or all of the positions within the group do not receive a majority of the votes cast in the first election, a second election shall be conducted two (2) weeks later between one more than the number of candidates necessary to fill the vacant offices. The candidates receiving the highest number of votes cast in the second election equal in number to the number to be elected shall be declared elected. (3-19-79)

Sec. 6-5 Regular election date and beginning of term.

All regular general elections for the office of Mayor and the offices of Town Council Members shall be held on the first (1st) Tuesday in May. The terms of office of persons elected in a regular election shall begin at the last regular meeting in June, and terms of those elected in special elections shall begin at the first regular meeting of Council following their election and qualification.²

Sec. 6-6. Nominations by petition; contents of petition.³

Nominations for public office shall be by petition; said petitions shall be filed with the Municipal Election Commission by 12:00 noon 75 days before the election and shall bear the signatures of not less than five (5%) percent of the number of qualified registered electors of the Town of Sullivan's Island. Each petition shall also contain a statement of the purpose of the petition, the name of the candidate, the office sought, the date of the election, signature and printed name of the voter, the address of residence where registered and precinct of the voter of those signing and shall be on good quality original bond paper sized 8-1/2 inches by 14 inches. No single petition should contain the signature of registered voters from different counties. The signatures of registered voters

² See S2-6 of this Code and S5-7-200 of State Code regarding special elections. Also see S2-9 of this Code regarding temporary holdover when successor has not qualified.

³ For state law requiring filing of economic interest statements with petition, see Act No. 373, approved by Governor April 22, 1980, which amends Section 8-14-610, effective 1-1-81.

should be numbered consecutively. Petitions with more than one page must have pages consecutively numbered when filing with the municipal clerk. All petition candidates must also submit their Statement of Economic Interest to the Municipal Election Commission when filing their petition. (3-19-79) (10-19-04)

Sec. 6-7. Notice of election date and deadline for filing.⁴

The Municipal Election Commission shall give public notice twice of all elections, the first notice published at least sixty (60) days prior thereto, noting therein the date of the election and the deadline for filing petitions with the Municipal Election Commission. The second notice must be published not later than two weeks after the first notice. The notice must contain the following information:

1. The last date one can register to be eligible to vote in the upcoming election;
2. The date, time and location any hearing on challenged ballots will be held;
3. The precincts involved in the election and the polling places in those precincts;
4. The time and place absentee ballots will be counted;
5. Information instructing potential candidates on how to file for office in an election.

(3-19-79)(10-19-04)

Sec. 6-8. Qualification of elected officers; procedure when results are contested.

Newly-elected officers shall not be qualified until at least forty-eight (48) hours after the closing of the polls and in the case a contest is filed, the incumbent shall hold over until the contest is finally determined. (3-18-79)

⁴ For state law as to notice, see S. C. Code, 1976, as amended, Section 5-15-50.