

CHAPTER 2. ADMINISTRATION

MARCH 6, 2015

CHAPTER 2. ADMINISTRATION

ARTICLE 1. IN GENERAL

- 2.101. Form of Government
- 2.102. Composition and Election of Council
- 2.103. Terms of Office
- 2.104. Compensation, Increases, Actual Expenses
- 2.105. Mayor Pro Tempore, Duties
- 2.106. Oath of Office Required
- 2.107. Ordinances
- 2.108. Same, Enacting Clause
- 2.109. Same, Required
- 2.110. Same, Codification
- 2.111. Same, Notice Required
- 2.112. Same, Form, Introduced in Writing
- 2.113. Same, Introduction, Public Inspection
- 2.114. Same, Original to be Entered in Book of Ordinances
- 2.115. Same, Notation of Amendments or Repeals
- 2.116. Same, Enactment, Six Days Between Readings
- 2.117. Same, Emergency
- 2.118. Same, Emergency, Powers of the Mayor
- 2.119. Standard Codes
- 2.120. Resolutions, Introduction
- 2.121. Same, Adoption
- 2.122. Fees, Schedule and Rates and Fees. Exhibit 1

ARTICLE II. MEETINGS OF COUNCIL

- 2.201. Meetings. Regular. Place. Annual Notice Required
- 2.202. Same, Notice of Change
- 2.203. Same, Special
- 2.204. Executive Sessions
- 2.205. Same, Open to Public
- 2.206. Same, Mayor to Preside. Absence of Mayor and Mayor Pro Tempore
- 2.207. Agenda
- 2.208. Minutes of Council Meetings. Council Positions
- 2.209. Rules of Order
- 2.210. Unlawful to Interrupt Meetings
- 2.211. Order of Proceedings of Council
- 2.212. Appearance of Citizens

- 2.213. Voting, Quorum. Mayor to Vote
- 2.214. Reasons for Voting may be Recorded
- 2.215. Mayor, Interested Member not to Vote
- 2.216. How Often Members may Speak
- 2.217. Appointment of Committees
- 2.218. Committee Reports
- 2.219. Same, Order of
- 2.220. Motions of Council
- 2.221. Same, Not Debatable
- 2.222. Same, Precedence During Debate
- 2.223. Same, Reconsideration

ARTICLE III. MUNICIPAL ELECTIONS

- 2.301. Election Laws of the State to Govern
- 2.302. Election Commission. Terms. Vacancies.
- 2.303. Successors to be Qualified
- 2.304. Elections. Dates
- 2.305. Same, Oath
- 2.306. Same, Voting Hours. Place. At Large
- 2.307. Same, Nonpartisan Election. Runoff. Tie Votes. Contested
- 2.308. Same, Special
- 2.309. Same, Political Parties
- 2.310. Same, Filing
- 2.311. Same, Filing Fees*See 2.317 (Amended)
- 2.312. Same, Certification
- 2.313. Same, Public Notice Required
- 2.314. Same, Write-in Votes
- 2.315. Same, When Qualified. Assuming Office
- 2.316. Qualifications for Voting
- 2.317. Election Filing Fees Amended

ARTICLE IV. OFFICERS, DEPARTMENTS AND PERSONNEL

- 2.401 Authority to Establish
- 2.402 Chief Administrative Officer
- 2.403 Appointment. Suspension.
- 2.404 Same, Compensation
- 2.405 Resisting or Interfering with Officials or Employees

ARTICLE V. MUNICIPAL CLERK/TRASURER

- 2.501. Appointment, Tenure
- 2.502. Bond

- 2.503. Duties
- 2.504. Clerk May Act as Treasurer
- 2.505. Treasurer to be Bonded

ARTICLE VI. MUNICIPAL ATTORNEY

- 2.601. Appointment. Tenure.
- 2.602. Duties

ARTICLE VII. HOLIDAYS

- 2.701. Holiday Observances

ARTICLE VIII. DEPARTMENTAL ORGANIZATION

- 2.801. Departments Established

ARTICLE IX. RESPONSIBILITIES OF MUNICIPALITIES

CHAPTER 2. ADMINISTRATION

ARTICLE I. IN GENERAL

Editor's Note. This article derives from 1976 South Carolina Code of Laws; the October 1, 1976, Campobello Town Code, with amendments; and generally accepted municipal practices.

2.101. FORM OF GOVERNMENT.

Pursuant to the Code of Laws of South Carolina, 1976, the Campobello form of government shall be the Council form.
(1976 SC Code §5-11-20, et seq.) (Appendix C, this Code)

2.102. COMPOSITION AND ELECTION OF COUNCIL.

- a. The Town Council shall be composed of a Mayor and four Council members, all of whom shall be residents of the town and elected by the qualified electors at an election as provided by Article III of this chapter.
- b. The Mayor shall be elected at large.
- c. The members of Council shall be elected at large.
(1976 SC Code §5-15-20)

2.103. TERMS OF OFFICE.

The Mayor and all members of Council shall be elected for four (4) years.

2.104. COMPENSATION. INCREASES. ACTUAL EXPENSES.

- a. The Mayor shall be paid an annual salary of one thousand dollars (\$1,000.00).
- b. Each member of Council shall be paid an annual salary of five hundred dollars (\$500.00).
- c. Increases in compensation shall not become effective until the commencement date of the terms of two or more members elected at the next general election following the adoption of the ordinance, at which time it will become effective for all members.
- d. The Mayor and members of Council may receive payment for actual expenses incurred in the performance of their official duties, when supported by official expense vouchers.

(1976 SC Code §5-7-1 70, as amended)

2.105. MAYOR PRO TEMPORE. DUTIES.

- a. Immediately after any general election of the Council, the Council shall elect from its membership a Mayor pro tempore for a term of not more than two years.
- b. He shall act as Mayor during the absence or disability of the Mayor.
- c. In case of a vacancy in the office of Mayor, the Mayor pro tempore shall serve until a successor is elected.

(1976 SC Code 5-7-190)

2.106. OATH OF OFFICE REQUIRED.

The Mayor and each member of Council, before entering upon the duties of their respective offices, shall take the following oath, to-wit:

I do solemnly swear (or affirm) that I am duly qualified, according to the Constitution of this State, to exercise the duties of the office to which I have been elected (or appointed) and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect and defend the Constitution of this State and of the United States.

(Art. VI, Sec. 5, S. C. Constitution)

As Mayor (Councilman, Judge, Police Officer, etc.) of The Town of Campobello I will equally, fairly, and impartially, to the best of my ability and skill, exercise the trust reposed in me, and I will use my best endeavors to preserve the peace and carry into effect according to law the purposes for which I have been elected (or appointed). So help me, God.

(1976 SC Code §5-15-150) (1976 SC Code §14-25-15)

2.107. ORDINANCES.

It shall be the duty of the Council to pass, from time to time, such ordinances as in its judgment shall best promote the interests of the citizens and property owners of the municipality.

(1976 SC Code §5-7-30)

2.108. SAME. ENACTING CLAUSE.

The enacting clause of all ordinances shall be, in substance, as follows: "Be it ordained by the Mayor and Council of The Town of Campobello, South Carolina:"

2.109. SAME. REQUIRED.

The Council shall act by ordinance in all matters required by law to be done by ordinance, in order to:

1. Adopt or amend an administrative code or ordinances, create, alter or abolish any department, office or agency;
2. Provide for a fine or other penalty or establish a rule or
3. Appropriate funds and adopt a budget;
4. Grant, renew or extend franchises, licenses or rights in public streets, or in public property, and close abandoned streets;
5. Authorize the borrowing of money or the issuance of bonds;
6. Levy taxes, assess property for improvements or establish charges for services;
7. Annex areas;

8. Convey or lease or authorize the conveyance or lease of any lands;
9. Amend or repeal any ordinance described in subparagraphs I through 8 above.

In all other matters, the Council may act either by ordinance, resolution, or on motion, written or oral, which shall be recorded in the minutes. (1976 SC Code §5-7-30 and §5-7-260)

(Editor's Note. See Appendix B for details of ordinance preparation.)

2.110. SAME. CODIFICATION.

All ordinances amending this code and any other ordinances or portions of ordinances, as may be required by Council, shall be codified at least annually in this code. (1976 SC Code §5-7-290)

2.111. SAME. NOTICE REQUIRED.

Prior to the introduction of an ordinance granting a franchise, license or right for the use of any street or public property, or for the permanent closing of any abandoned street, the applicant for such ordinance shall publish a notice in three separate issues of a newspaper having general circulation in the municipality stating the nature of the franchise, license or right sought or a description of the street sought to be closed, and the date on which the application is to be presented to Council which shall be at least one week after the last notice. This requirement shall not apply to the temporary closing of a public street initiated by Council.

2.112. SAME. FORM. INTRODUCED IN WRITING.

Every proposed ordinance shall be numbered, introduced in writing and in the form required for final adoption which shall include:

1. A title briefly describing the contents;
2. Findings, reasons or basis for the ordinance, if desired and when appropriate;
3. An enacting clause as set forth in §2.108 hereof;
4. A repealing provision, when appropriate;
5. The provisions of the ordinance including section numbers, when appropriate;

6. The effective date of the ordinance and dates of first and second readings and the approval of the Town Attorney as to form, when requested;

7. Space for the signature of the Mayor or, in the absence of the Mayor, the presiding member of Council. The Clerk shall attest adoption. (See Appendix B, this Code.) When appropriate, the Town Attorney shall attest as to form.
(1976 SC Code §5-7-270)

2.113. SAME. INTRODUCTION. PUBLIC INSPECTION.

a. An ordinance may be proposed by the Mayor or any member of Council. When appropriate, a proposed ordinance shall be referred to the Municipal Attorney for approval as to legality and form. He shall render assistance in the preparation of ordinances when requested to do so.

b. After an ordinance is in proper form, the Clerk shall hold the ordinance for public inspection. An ordinance shall be deemed to be introduced when, at a public meeting of Council, its title is read.

(Editor's Note. For "Initiative and Referendum" which permits electors to propose ordinances except an ordinance appropriating money or authorizing the levy of taxes, see §5-17-10 of the 1976 South Carolina Code of Laws, as amended.)

2.114. SAME. ORIGINAL BE ENTERED IN BOOK OF ORDINANCES.

The Clerk shall enter in an ordinance book the original copy of all ordinances passed by the Council. The book shall be known as the "Ordinance Book," as required by the 1976 South Carolina Legislature, bearing Ratification No. 718.

2.115. SAME. NOTATION OF AMENDMENTS OR REPEALS.

The Clerk shall write on the first page of every ordinance, subsequent to entry in the ordinance book, if the same shall be amended or repealed, as the case may be, the words "amended," or "repealed" with a reference on the ordinance in the ordinance book as to where the amending or repealing ordinance can be found.

2.116. SAME. ENACTMENT. SIX DAYS BETWEEN READINGS.

a. An ordinance to levy a tax, adopt a budget, appropriate funds, grant a franchise, license or right to use or occupy a public street or public property for commercial purposes shall be complete in the form in which it is finally passed, and in such form remain on file with the Clerk for public inspection at least six (6) days before final adoption.

b. No ordinance shall be adopted until it shall have been read two (2) times and on two (2) separate days with at least six (6) days between each reading. (1976 SC Code §5-7-270, which requires only two (2) readings.)

c. Emergency ordinances may be adopted on one (1) reading, without notice or hearing by affirmative vote of two-thirds of members present. An emergency ordinance may not levy taxes, relate to a franchise or a service rate and shall expire automatically on the sixty-first (61st) day following its enactment.

d. The introduction and reading of any ordinance may be by the reading of the title only unless full reading is requested by a member of Council.

e. After the introduction of an ordinance, any member of Council or any city citizen-taxpayer interested therein may request a public hearing which shall be held at a time designated by the Council prior to final adoption.

2.117. SAME. EMERGENCY.

Emergency ordinances shall conform to the provisions of the 1976 South Carolina Code, §5-7-250(d) and §2.118 hereof.

2.118. SAME. EMERGENCY. POWERS OF THE MAYOR.

a. A state of emergency shall be deemed to exist whenever, during times of great public crises, disaster, rioting, civil disturbances, catastrophe, or for any other reason, public safety authorities are unable to maintain public order or afford adequate protection for lives, safety, health, welfare or property.

b. In the event of a state of emergency threatening or endangering the lives, safety, health and welfare of the citizenry or threatening damage to or destruction of property, the Mayor is hereby authorized and empowered to issue a public proclamation declaring to all persons the existence of such a state of emergency and, in order more effectively to protect lives, safety and property, to define and impose a curfew applicable to all persons within the jurisdiction of the Council.

c. The Mayor is further authorized and empowered to limit the application of such a curfew to any area specifically designated and described within the jurisdiction of the Council and to specific hours of the day or night and to exempt from the curfew policemen, firemen, doctors, nurses and such others as may be essential to the preservation of public order and immediately necessary to serve the needs of the people within the corporate limits.

2.119. STANDARD CODES.

Standard codes, technical regulations, business license ordinances and zoning ordinances may be cited in the code by reference and copies thereof shall be made available by the Clerk for distribution or for purchase at a reasonable price. (1976 SC Code §5-7-280)

2.120. RESOLUTIONS. INTRODUCTION.

A voice motion by a member of Council shall be considered to be the introduction of an oral resolution which shall require no written record other than a notation by the Clerk in the Council minutes. However, a resolution proposed in writing shall be introduced in the same manner as an ordinance and in such form as may be recommended as applicable by the Municipal Attorney, when appropriate.

2.121. SAME. ADOPTION.

Written or oral resolutions may be adopted on one (1) reading.

2.122. FEES. SCHEDULE OF RATES AND FEES. EXHIBIT 1.

- a. Fees, rates or charges necessary for the efficient and orderly maintenance of city services shall be included in Exhibit 1, entitled "Schedule of Rates and Fees."
- b. The exhibit is hereby made a part of this code as if fully set forth herein, and filed in the office of the Town Clerk.

ARTICLE 11. MEETINGS OF COUNCIL

Editor's Note. This article derives from 1976 South Carolina Code of Laws; the 1976 Campobello Town Code, with amendments; and generally accepted municipal practices.

2.201. MEETINGS. REGULAR. PLACE. ANNUAL NOTICE REQUIRED.

- a. The regular meetings of Council shall be held at the Campobello Fire Department Training room on the first Monday of each month, at 7:00 p.m., local time, unless otherwise set by the Mayor. A reasonable notice shall be given to each available Council member and a notice posted at Town Hall at least twenty-four (24) hours prior to the meeting, if not held at the regularly scheduled time.
- b. In the event an official town holiday falls on the scheduled Council meeting date, the regular meeting shall be held as determined by Council.
- c. Written public notice of the regular meeting shall be given at the beginning of each calendar year, as required by §30-4-80 of the 1976 South Carolina Code of Laws.

2.202. SAME. NOTICE OF CHANGE.

Notice of all changed meetings and special meetings shall be given to all available members and the news media, as required by the Freedom of Information Act (Appendix A, this code.)

2.203. SAME. SPECIAL.

Special meetings may be held:

1. Whenever called by the Mayor in cases of emergency, or
2. When, in the judgment of the Mayor, the good of the municipality requires it, or
3. By a majority of member of Council

2.204. EXECUTIVE SESSIONS.

a. Council may hold Executive Sessions as permitted by the South Carolina Freedom of Information Act (see Appendix A) at such times and places as Council may deem necessary and in the public interest.

b. A majority vote of Council shall be necessary to call such sessions.

c. Before going into executive session the public agency shall vote in public on the question and when such vote is favorable the presiding officer shall announce the specific purpose of the Executive Session.

d. No official action may be taken in Executive Session. (See Appendix A, this Code.)

2.205. SAME. OPEN TO PUBLIC.

All Council meetings shall be open to the public, as required by the Freedom of Information Act. (Appendix A, this code.)

2.206. SAME. MAYOR TO PRESIDE. ABSENCE OF MAYOR AND MAYOR PRO TEMPORE.

a. The Mayor shall preside at all Council meetings.

b. The Mayor pro tempore shall preside at the absence of the Mayor.

- c. In the absence of both the Mayor and Mayor Pro tempore the duties of the Mayor shall be performed by such member of the Council as the Council may designate. (1976 SC Code §5-7-190) (See also §2.105, this code.)

2.207. AGENDA.

- a. Matters to be considered by Council at a regular meeting shall be placed on a written agenda by the Town Clerk at least twenty-four (24) hours prior to the meeting.(Amended 6/12/06 see 2.207.1, Page 22-1)
- b. Matters not on the agenda may be considered upon request of a member unless at least two members object.

ORDINANCE 2.207.1

TO AMEND THE CODE OF THE TOWN OF CAMPOBELLO, SOUTH CAROLINA, TO AMEND CHAPTER 2, ARTICLE II, SECTION 207a

BE IT ORDAINED by the Mayor and members of Council of the Town of Campobello, South Carolina, in council assembled:

Section 1 The Code of the Town of Campobello is amended to change Section 207a of Chapter 2, Article II.

Section 2 Said Section shall read as follows:

Agenda

a-1. Matters to be considered by Council at a regular meeting shall be submitted in writing to the Town Clerk at least seven (7) days prior to the meeting.

a-2. All written requests to be placed on the agenda shall include name, address, contact number, and subject matter to be discussed.

a-3. Each person recognized to speak shall be limited to a ten (10) minute time limit, not including legal counsel or persons representing franchise agreements.

ADOPTED by the Council duly assembled.

First Reading May 1, 2006

Final Reading June 12, 2006

2.208. MINUTES OF COUNCIL MEETINGS; COUNCIL POSITIONS.

a. The Clerk shall keep the minutes of all public meetings of the Council which shall be a matter of permanent public record. At each regular monthly Council meeting, the minutes of the previous meeting or meetings shall be presented for approval. Minutes shall not be considered the official record of a meeting until approved by the Council.

b. Any member of Council desiring to express a position in the minutes on a matter voted upon by Council may do so by presenting the position in writing to Council not later than the next regular meeting. No person shall make any change in the minutes or remove same from Town Hall, without prior approval.

2.209. RULES OF ORDER.

Except as otherwise provided by state law or this Code, all proceedings of Council shall be governed by Roberts Rules of Order. All questions of order shall be decided by the Mayor or, in his absence, the presiding officer, without debate, subject to an appeal to the Council.

2.210. UNLAWFUL TO INTERRUPT MEETINGS.

It shall be unlawful for any person or persons to interrupt the proceedings of Council, the Municipal Court or any other official body while in session. (See §14.501.b of this code regarding other public meetings.)

2.211. ORDER OF PROCEEDINGS OF COUNCIL.

The order of proceedings of Council meetings may be substantially as follows:

1. Introduction.
2. Approval of the minutes.
3. Financial Statements.
4. Public Comment.
5. Old business.
6. New business.
7. Adjournment.

2.212. APPEARANCE OF CITIZENS.

Any citizen of the town shall be entitled to address Council at regular meetings to discuss municipal matters, with the exception of personnel and contractual matters.

2.213. VOTING. QUORUM. MAYOR TO VOTE.

a. A show of hands or a voice vote shall be sufficient to record votes. During the voting, no member may leave the Council chamber, without permission of the presiding officer.

b. A majority of the total membership of the Council shall constitute a quorum for the purpose of transacting Council business. (1976 SC Code §5-7-1 60)

c. The result of each vote on every question shall be recorded in the minutes by the Clerk. The “yeas” and “nays” on any question shall be recorded, when requested by any member.

d. Every member of Council, including the Mayor, shall have one (1) vote on every question, except when required to refrain from voting by state law.

e. Members voting “present” shall not be recorded as in favor or opposed to the motion.

(Editor’s Note. The Municipal Association recommends that all members vote on all motions; that to abstain shall be deemed an affirmative position.)

f. The Mayor may make a motion or second a motion without vacating the chair.

2.214. REASONS FOR VOTING MAY BE RECORDED.

Any member shall have his reasons for voting for or against any measure recorded in the minutes, at his request.

2.215. MAYOR, INTERESTED MEMBER NOT TO VOTE.

Neither the Mayor nor any member of Council shall vote on any question of a private nature in which he is personally or peculiarly interested. (1976 SC Code §8-13-700)

2.216. HOW OFTEN MEMBERS MAY SPEAK.

No member shall speak more than two (2) times on the same question, except to explain his position, without concurrence of a majority of the Council.

2.217. APPOINTMENT OF COMMITTEES.

Council may appoint a committee to assist in or hold a public hearing for Council at any time upon any matter pending before it, unless otherwise prohibited by law. Minutes or reports of hearings held by such committees shall be filed with the Clerk as public records.

2.218. COMMITTEE REPORTS.

Committee reports may be in writing and signed by a majority of the committee. Any report involving the expenditure of money shall be in writing and include the amount to be expended, or an approximation thereof, and the reasons therefore.

2.219. SAME. ORDER OF.

Reports of committees, in the order of business, shall be rendered as the presiding officer may determine.

2.220. MOTIONS OF COUNCIL.

All motions shall be reduced to writing at the request of any member of Council.

2.221. SAME. NOT DEBATABLE.

The following motions shall be without debate:

1. To adjourn,
2. To lay on the table,
3. To read any paper,
4. To take the yeas and nays for the previous question, and
5. To reconsider.

2.222. SAME. PRECEDENCE DURING DEBATE.

When a question is under debate, no motion shall be received except a motion:

1. To adjourn,
2. To lay on the table,

3. For the previous question,
4. To postpone to a certain day,
5. To commit, to amend or to postpone indefinitely.

The above motions shall have precedence in the order in which they are set forth.

2.223. SAME. RECONSIDERATION.

A motion to reconsider shall not be entertained unless it is made by a member of Council who voted with the majority, and such motion shall be made only at the same or next succeeding meeting.

ARTICLE III. MUNICIPAL ELECTIONS

EDITOR'S NOTE. THE UNITED STATES CONGRESS HAS MANDATED THAT ANY ORDINANCE WHICH IMPACTS UPON THE ELECTION PROCESS MUST BE CLEARED IN ADVANCE BY THE UNITED STATES DEPARTMENT OF JUSTICE.

This article derives, generally, from §5-1 5-90, et seq., of the 1976 South Carolina Code of Laws, as amended; the 1976 Campobello Town Code, with amendments; and generally accepted municipal practices.

2.301. ELECTION LAWS OF THE STATE TO GOVERN.

All municipal elections shall be conducted in accordance with the provisions of the election laws of this state. (1976 SC Code §5-15-20 et. seq.)

2.302. ELECTION COMMISSION. TERMS. VACANCIES.

- a. There is hereby established a Municipal Election Commission composed of three (3) electors who shall be residents of the municipality and who shall serve terms of six (6) years.
- b. Members shall conduct all municipal elections and shall be appointed by the Council. (1976 SC Code §5-15-90, §5-15-100)
- c. The Council shall appoint an interim commissioner to fulfill the duties of any disabled member for the duration of the election period.

2.303. SUCCESSORS TO BE QUALIFIED.

The Mayor and members of Council shall serve, until their successors have been duly elected and qualified.

2.304. ELECTIONS. DATE.

Regular Elections for office of Mayor and Council Members shall be held in the odd numbered years on the first Tuesday after the first Monday in November.

2.305. SAME. OATH.

Each candidate shall sign an Oath of Candidacy which shall be obtained from the Election Commission or its designated representative.

2.306. SAME. VOTING HOURS. PLACE. AT LARGE.

a. Polling places shall be open from 7:00 a.m. to 7:00 p.m., at the Spartanburg County School District 1 Business Offices located at 121 Wheeler Street in Campobello. (1976 SC Code §7-13-60)

b. All municipal elections shall be conducted at large.

2.307. SAME. NONPARTISAN ELECTION. RUNOFF. TIE VOTES. CONTESTED.

a. As prescribed in §5-15-62 of the 1976 South Carolina Code of Laws, election results shall be determined under the nonpartisan election and runoff election method. (Editor's Note. The requirements of §5-15-62 are too lengthy to reproduce in this code and the reader is referred to that section for detailed information.)

b. If any election results in a tie, the Municipal Election Commission shall conduct a runoff election two weeks following that election to break the tie. (1976 SC Code §5-1 5-1 25)

c. Should the results of an election be contested, the incumbent who fills that contested office shall hold over until the contest is finally determined.

2.308. SAME. SPECIAL.

Special elections, when required, shall be scheduled by the Municipal Election Commission. Public notice of such elections shall be given at least sixty (60) days prior thereto, and the other provisions of this article, as appropriate, shall apply.

(Editors Note. A vacancy on Town Council with one hundred eighty-one (181) days or more of the un-expired term requires a special election.)

2.309. SAME. POLITICAL PARTIES.

No political party or affiliation shall be placed on the ballot for any candidate.

2.310. SAME. FILING.

Candidates shall file at the office of the Town Clerk at least sixty (60) days prior to the election. (1976 SC Code §5-15-110)

2.311. SAME. FILING FEES.

A filing fee of twenty-five dollars (\$25.00) shall be required of candidates for Mayor. For Council, the fee shall be fifteen dollars (\$15.00).* *Amended 2/15/07 – See 2.317*

2.312. SAME. CERTIFICATION.

The Town Clerk shall certify the nominees to the Municipal Election Commission at least thirty (30) days prior to the election.

2.313. SAME. PUBLIC NOTICE REQUIRED.

Public notice of all municipal elections shall be given at least sixty (60) days prior to such elections, as required by law. (1976 SC Code §5-15-50)

2.314. SAME. WRITE-IN VOTES.

Electors shall be permitted to cast write-in votes. (1976 SC Code §7-13-1380)

2.315. SAME. WHEN QUALIFIED. ASSUMING OFFICE.

a. Newly elected officers shall not be qualified until at least forty-eight (48) hours after the closing of the polls. (1976 SC Code §5-1 5-1 20)

b. Newly elected officers shall assume office at the first Council meeting in April, following their election, unless the office is contested.

2.316. QUALIFICATIONS FOR VOTING.

Every citizen of the town shall be entitled to vote in all municipal elections, if he is or has:

1. Reached the age of eighteen (18) years and upwards.
2. Resided in the corporate limits for thirty (30) days previous to any municipal election.
3. Been registered for county, state and national elections.

(1976 SC Code 7-5-610)

4. Not laboring under disabilities named in the constitution of 1895 of this state.
(1976 SC Code 7-5-120)

ORDINANCE 2.317

TO AMEND THE CODE OF THE TOWN OF CAMPOBELLO, SOUTH CAROLINA, TO AMEND
CHAPTER 2,
ARTICLE III, SECTION 3.11

BE IT ORDAINED by the Mayor and members of Council of the Town of Campobello, South Carolina, in council assembled:

Section 1. The Code of the Town of Campobello is amended to void
Section of Chapter 2, Article III, Section 3.11

Section 2. Said section 3.11 shall be amended to read as follows:
A filing fee shall be required of candidates for Mayor and Council. Said fee shall be set and reviewed by Council annually and published with notice of election and available in the office for inspection during normal working hours.

ADOPTED BY THE Council duly assembled.
First Reading 1/8/07
Final Reading 2/5/07

ORDINANCE 2.318

TO AMEND THE CODE OF THE TOWN OF CAMPOBELLO, SOUTH CAROLINA, TO AMEND
CHAPTER 2, ARTICLE III, SECTION 2.

BE IT ORDAINED by the Mayor and members of Council of the Town of Campobello, South Carolina, in council assembled:

Section 2.304 shall be amended to read as follows:

“Regular Elections for office of Mayor and Council Members shall be held in the odd numbered years on the first Tuesday after the first Monday in November.”

ADOPTED BY THE Council duly assembled.
First Reading 1/6/2020
Final Reading 2/3/2020

ARTICLE IV. OFFICERS, DEPARTMENTS AND PERSONNEL

Editor’s Note. This article derives from the 1976 South Carolina Code of Laws; the 1976 Campobello Town Code; and generally accepted municipal practices, to provide guidance relating to personnel matters.

2.401. AUTHORITY TO ESTABLISH.

The Council may create and establish such town offices, departments and sections as it may deem proper for the orderly and efficient government of the town.

2.402. APPOINTMENT. SUSPENSION.

Except as otherwise provided by this code, all officers department heads of the Town shall be appointed by the Mayor and Council. They shall be subject to suspension and termination by the Mayor and Council. Employees of the Town shall be appointed by department heads and shall be subject to suspension or termination by department heads.

2.403. SAME. COMPENSATION.

The compensation, as appropriate, of all appointed officers and employees shall be set by the Council and incorporated in the annual budget.

2.405. RESISTING OR INTERFERING WITH OFFICIALS OR EMPLOYEES.

It shall be unlawful for any person to resist or interfere with any municipal officer or employee in the discharge of his official duties.

ARTICLE V. MUNICIPAL CLERK/TREASURER

Editor's Note. This article derives from §5-7-220 of the 1976 South Carolina Code of Laws.

2.501. APPOINTMENT. TENURE.

The Council shall appoint an officer of the municipality who shall have the title of Town Clerk, in addition to any other title assigned to him/her by Council.

2.502. BOND.

Before entering upon the duties of his/her office, the Clerk shall enter into bond in such sum as may be required by 'Council with good and sufficient surety for the faithful performance of his/her duties. The fee therefore shall be paid by the municipality.

2.503. DUTIES.

The Clerk shall serve as ex officio clerk of Council, give notice of meetings, attend regular and special meetings, record votes of Council, attest all ordinances and resolutions, keep minutes of Council meetings and perform such other duties as may be assigned by Council.

2.504. CLERK MAY ACT AS TREASURER.

In addition to all other duties, the Clerk may act also as the Treasurer and perform those duties commonly associated therewith, pursuant to state statutes and this Code.

2.505. TREASURER TO BE BONDED.

Should the Treasurer be other than the Clerk, he shall be bonded as provided for the Clerk in §2.602, hereof

ARTICLE VI. MUNICIPAL ATTORNEY

Editor's Note. This article derives from §5-7-230 of the 1976 South Carolina Code of Laws.

2.601. APPOINTMENT. TENURE.

The Council may appoint a Municipal Attorney who shall be a lawyer of good and reputable standing who shall hold office at the pleasure of Council.

2.602. DUTIES.

- a. The Attorney shall attend meetings of Council when requested by Council. He/she shall act as parliamentarian. When requested to do so, he shall draft all ordinances and resolutions and review all ordinances, resolutions and documents presented to Council. He shall give opinions upon questions of municipal procedure, form and law to any member of Council and other municipal officials, when requested.
- b. It also may be the duty of the Attorney to prosecute all cases before the Municipal Court when a jury trial is demanded or the defendant is represented by an attorney.
- c. The Attorney shall defend the Town against all civil suits.

ARTICLE VII. HOLIDAYS

2.701. HOLIDAY OBSERVANCES.

The following holidays shall be observed by the employees of the town:

1. New Year's Day
2. Martin Luther King Day
3. President's Day
4. Good Friday
5. Memorial Day
6. Independence Day
7. Labor Day
8. Veteran's Day
9. Thanksgiving Day
10. Friday after Thanksgiving Day
11. Christmas Eve Day
12. Christmas Day
13. Day After Christmas

ARTICLE VIII. DEPARTMENTAL ORGANIZATION

2.801. COMMITTEES ESTABLISHED.

The administrative organization of the town shall be divided into the following committees, and they are hereby established:

1. Public Works Committee: Streets, Sidewalks
2. Personnel Department

3. Fire Department
4. Police Department
5. Ball Park and Recreation

The committees shall consist of those officers appointed by Council and shall be responsible for the planning and support for the departments which they represent.

ARTICLE IX. RESPONSIBILITIES OF MUNICIPALITIES

Editor's Note. Title 5, Chapter 7, Section 10 (~5-7-10) of the 1976 South Carolina Code of Laws:

“The provisions of this chapter provide for the structure, organization, powers, duties, functions and responsibilities of all municipalities under all forms of municipal government provided for in Chapters 9 (Mayor-Council), 11 (Council) and 13 (Council-Manager) unless otherwise specifically provided for in these chapters.

The powers of a municipality shall be liberally construed in favor of the municipality and the specific mention of particular powers shall not be construed as limiting in any manner the general powers of such municipalities.”

This article has been added, to illustrate the overall authority contained in Chapter 7 of the South Carolina Code of Laws for a municipality in South Carolina to provide for its government.