

THE TOWN OF KIAWAH ISLAND

ORDINANCE 2020-08

AN ORDINANCE TO AMEND ARTICLE 2, GENERAL GOVERNMENT AND ADMINISTRATION, CHAPTER 2, MUNICIPAL COUNCIL, SECTION 2-201, AND ARTICLE 3, ELECTIONS, CHAPTER 1, ELECTION OF MAYOR AND COUNCIL, SECTIONS 3-102 AND 3-103 TO ADOPT FOUR-YEAR TERMS OF OFFICE AND STAGGERED TERMS FOR COUNCIL

WHEREAS, the Town of Kiawah Island Municipal Code currently contains Article 2, General Government and Administration, Chapter 2, Municipal Council, Section 2-201, and Article 3, Elections, Chapter 1, Election of Mayor and Council, Sections 3-102 and 3-103, currently setting the terms of office of the mayor and members of council for two years, and

WHEREAS, the Town Council believes that changing the two-year terms for mayor and members of council to four-year terms and staggering those terms is in the interests of the Town and will promote continuity in the Town Council; and

WHEREAS, the Town Council wishes to amend Sections 2-201, 3-102, and 3-103 to adopt staggered four-year terms of office for the mayor and members of council.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.

Section 1 **Purpose**

The purpose of this Ordinance is to amend Article 2, General Government and Administration, Chapter 2, Municipal Council, and Article 3, Elections, Chapter 1, Election of Mayor and Council, by amending Sections 2-201, 3-102, and 3-103 to adopt a four-year term of office for the mayor and council members and to stagger terms for council members.

Section 2 **Ordinance Amendments**

Section 2-201 amended as follows:

The municipal council of the town shall be composed of a mayor and four councilmembers who shall be qualified electors and shall be elected at large for four-year terms of office. General elections for municipal council shall be held every two years to fill those offices available at the time. Elections for council members shall be staggered so that two council members shall be elected in each general election. A majority of the council shall constitute a quorum for the purpose of transacting council business.

Section 3-102 amended as follows:

The municipal council of the town shall be composed of a mayor and four councilmembers who shall be qualified electors and shall be elected at large for staggered four-year terms of office.

Section 3-103 amended as follows:

The mayor and members of council shall be elected to four-year terms of office.

Section 3 **Implementation**

In order to implement this Ordinance and staggered terms, the next election to be held on December 1, 2020 will elect a mayor for a term of four years, two council members for terms of four years, and two council members for terms of two years. The two council member candidates receiving the highest number of votes shall be elected to four-year terms, and the two council member candidates receiving the next lowest number of votes (3 and 4) shall be elected to two-year terms.

Section 3 **Severability**

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances

Section 4 **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS ____ DAY OF _____, 2020.

Craig Weaver, Mayor

Petra S. Reynolds, Town Clerk

1st Reading: August 4, 2020

2nd Reading: