

**RESOLUTION NO.: R-2010-038**

*Authorizing Notice of Special Election for City Council District 2*

WHEREAS, a vacancy occurred in City Council District 2 on March 9, 2010, which term ends on June 30, 2012; 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 United States District Court three judge panel enjoined the election scheduled for April 6, 2010 to fill the vacancy in the District 2 Council seat unless Section 5 preclearance was received prior to the election; and,

WHEREAS, Section 5 preclearance was not received prior to the polls opening on April 6, 2010 at 7:00 o'clock a.m.; and,

WHEREAS, the City will conduct a special election to fill the vacancy in the District 2 Council seat; and,

Whereas, S.C. Code of Laws §5-15-50 requires sixty days' public notice of an election; and,

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

WHEREAS, the Code of Ordinances of the City of Columbia Sec. 6-6(b) requires that Council give public notice of the general election at least 90 days prior to the date of the election; and,

WHEREAS, Code of Ordinances of the City of Columbia Sec. 6-4(b) requires that each person offering as a candidate for election to any municipal election shall do so by filing a notice of candidacy with the election commission 60 days prior to the date of the election; and,

WHEREAS, United States Justice Department preclearance pursuant to Section 5 of the Voting Rights Act is required; and,

WHEREAS, the deadline for providing the notice to The State newspaper for publication of the notice in the Sunday, April 11, 2010 edition of The State newspaper is 2:00 o'clock p.m. on Thursday, April 8, 2010, NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Columbia, South Carolina this 7th day of April, 2010, that **Tuesday, July 13, 2010** has been set as the date for a special election to fill the vacant City Council District 2 seat; and,

BE IT FURTHER RESOLVED that the attached Notice of Election shall be published in The State Newspaper on or before Sunday, April 11, 2010 and again not later than Sunday, April 18, 2010, and the City Clerk is directed to provide a copy of such notice to the South Carolina Ethics Commission.

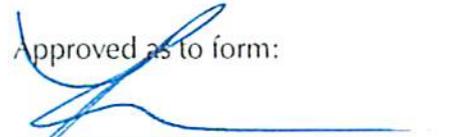
Requested by:

  
MAYOR

Approved by:

  
City Manager

Approved as to form:

  
City Attorney

ATTEST:

  
City Clerk

Introduced: 4/7/2010  
Final Reading: 4/7/2010

**PUBLIC NOTICE  
CITY OF COLUMBIA, SOUTH CAROLINA  
SPECIAL ELECTION FOR CITY COUNCIL DISTRICT 2**

The Municipal Election Commission of the City of Columbia announces the special election for the City of Columbia to be held on Tuesday, July 13, 2010.

The following office shall be included in this election:

Councilmember for District 2 for term ending in 2012.

The polling places for this election are:

Ward 1	Capital Senior Center, 1650 Park Circle
Ward 2	Marion Street Apartments, 1930 Marion St.
Ward 4	Park Street Baptist Church, 2204 Park St.
Ward 5/Olympia	Pacific Memorial Park, 200 Wayne St.
Ward 7	W.A. Perry Middle School, 2600 Barhamville Rd.
Ward 8	David H. Swinton Campus Center, 1616 Oak St.
Ward 9	Prince Hall Masonic Lodge, 2324 Gervais St.
Ward 18	Old Watkins School, 2612 Covenant Rd.
Ward 19	Latimer Manor Community Center, 100 Lorick Circle
Ward 30	Arsenal Hill Park, 1800 Lincoln St.
Ward 32	Drew Wellness Center, 2101 Walker Solomon Way
Ward 33	Martin Luther King Memorial Park, 2300 Green St.
Edgewood	Burton-Pack Elementary, 111 Garden Dr.
Keenan	W.G. Sanders Middle School, 3455 Pine Belt Rd.
St. Andrews/Riverside/Westminster	St. Andrews Middle, 1231 Bluefield Rd.
Skyland	Skyland Drive Bible Church, 901 Skyland Dr.

People desiring to vote in the upcoming election must be registered by Friday, June 11, 2010. To register, one must contact the County Board of Voter Registration.

Citizens desiring to be candidates for one of the above listed offices must file a statement of candidacy and completed Statement of Economic Interest with the City Clerk, 3rd floor, City Hall, 1737 Main Street, Columbia, South Carolina. Books will be open for filing on Monday, April 12, 2010, and remain open during regular business hours (8:30 a.m. until 5:00 p.m.) until Friday, May 14, 2010. No statement of candidacy or Statement of Economic Interest will be accepted after 5:00 o'clock p.m., Friday, May 14, 2010.

The filing fee for the office of council is \$90.00.

This is a nonpartisan election and no party affiliation shall be placed on the ballot.

The polls shall open at 7:00 a.m. on election day and close at 7:00 p.m.

**At 9:00 a.m. on said Election Day the commissioners will begin examination of the absentee ballot return envelopes. This examination will be held in the 4<sup>th</sup> Floor Conference Room, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina.**

**On Thursday, July 15, 2010, at 2:00 p.m. at Council Chambers, 2<sup>nd</sup> floor, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina, the Municipal Election Commission shall hold a hearing to determine the validity of ballots challenged, if any, in this election.**

**Any run-off will be held two weeks after the election on Tuesday, July 27, 2010.**