

REQUEST FOR CITY COUNCIL CONSIDERATION

Meeting Date: May 15, 2023

Agenda Item: 7C	Prepared by: Chris Noury, City Attorney
Agenda Section: New Business: Ordinance. First Reading	Date: May 20, 2023
Subject: An ordinance of the City of North Myrtle Beach to amend Section 9-1 of the North Myrtle Beach Code titled Ward Lines	Division: Legal

The proposed amendment to Section 9-1 of the North Myrtle Beach Code of Ordinances adds language to include Article I regarding the Findings, Determination and Purpose of the Ordinance; Article II regarding the Adoption of the Plan; Article III regarding Implementation and Article IV regarding Severability and Repeal.

In addition to the above referenced Articles being added to the Code of Ordinances, Section 9-1 titled Ward Lines shall be amended as follows:

Sec. 9-1. Ward Lines

The voting wards of the City of North Myrtle Beach shall be changed to reflect the new lines as drawn using the **2020 Decennial Census Data**. Such map showing the new ward lines shall be signed by the Mayor and attested by the City Manager and City Clerk and shall be approved by City Council and maintained in the City Clerk's office. Any area hereafter annexed into the city will become part of the ward to which it is closer.

Recommended Action:

Approve or deny the proposed ordinance on first reading

Reviewed by City Manager		Reviewed by City Attorney
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Council Action:
Motion By _____ 2nd By _____ To _____

**AN ORDINANCE OF THE CITY OF NORTH MYRTLE BEACH TO ADOPT
A REDISTRICTING PLAN TO REDRAW THE FOUR (4) SINGLE-MEMBER
WARDS FOR THE ELECTION OF CITY OF NORTH MYRTLE BEACH COUNCIL
MEMBERS BASED UPON THE 2020 DECENNIAL CENSUS AND TO AMEND
SECTION 9-1 TO CHAPTER 9 OF THE CODE OF ORDINANCES FOR THE
CITY OF NORTH MYRTLE BEACH AS FOLLOWS**

**BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA (the “City”):**

**ARTICLE I
FINDING, DETERMINATION AND PURPOSE**

Section 1-1. The United States Department of Commerce has declared final the results of the federal decennial census of 2020 (“2020 Census”).

Section 1-2. In compliance with the United States Constitution, the Constitution of the State of South Carolina, Section, 4-9-90 of the South Carolina Code of Laws, 1976, as amended, and the United States Voting Rights Act of 1965, as amended, the City has determined to realign the wards for the election of members of Council in accordance with the 2020 Census and is adopting this Ordinance for that purpose.

Section 1-3. The City must revise its ward lines in accordance with data from the 2020 Census in order to comply with the requirements of the United States Constitution, federal law, the Constitution of South Carolina and state law.

Section 1-4. There presently exist four (4) single-member wards for the election of Council Members for the City, as well as two (2) at-large seats.

Section 1-5. This Ordinance is for the purpose of defining the boundaries of the four (4) single-member wards.

Section 1-6. The re-defining of the ward boundaries is based upon the 2020 Census for redistricting purposes in order that the population of such wards shall comply with the requirements set forth in the Voting Rights Act of 1965.

**ARTICLE II
ADOPTION OF PLAN**

Section 2-1. From and after the adoption date of this Ordinance, the City shall be divided into four (4) new wards for the purpose of electing members to the Council. Each new ward shall be entitled to elect one (1) member of Council. The four (4) single-member wards for the election of Council members are hereby redistricted and are as defined and delineated on the

schedule of precincts and voting districts as shown on the map attached as **Exhibit “A”** which is incorporated herein by reference as is fully set forth.

ARTICLE III IMPLEMENTATION

Section 3-1. The City Manager is authorized and directed to take such administrative actions to promulgate and execute such procedures and policies as may be necessary or desirable to carry into effect and implement the redistricted single-member wards provided for in this Ordinance.

Section 3-2. The City is hereby directed, upon the effective date hereof, to undertake, by and with the South Carolina Election Commission, all steps necessary for conducting elections according to the new wards as may be required in accordance with the South Carolina Code of Laws, 1976, as amended.

ARTICLE IV SEVERABILITY AND REPEAL

Sections 4-1. Any ordinance previously adopted by the Council which established the wards existing prior to the adoption of this ordinance, and any other ordinances of the Council now in effect that are inconsistent with this Ordinance, are hereby repealed as of the Effective Date of this Ordinance.

Section 4-2. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

ARTICLE V AMENDMENT TO SECTION 9-1 OF THE CODE OF ORDINANCES

Section 5-1. Section 9-1 of the Code of Ordinances for the City shall be deleted in its entirety and replaced with the following:

Sec. 9-1. Ward Lines

The voting wards of the City of North Myrtle Beach shall be changed to reflect the new lines as drawn using the 2020 Decennial Census Data. Such map showing the new ward lines shall be signed by the Mayor and attested by the City Manager and City Clerk and shall be approved by City Council and maintained in the City Clerk’s office. Any area hereafter annexed into the city will become part of the ward to which it is closer.

DONE, RATIFIED AND PASSED, THIS _____ DAY OF _____, 2023.

ATTEST:

Mayor Marilyn Hatley

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED:

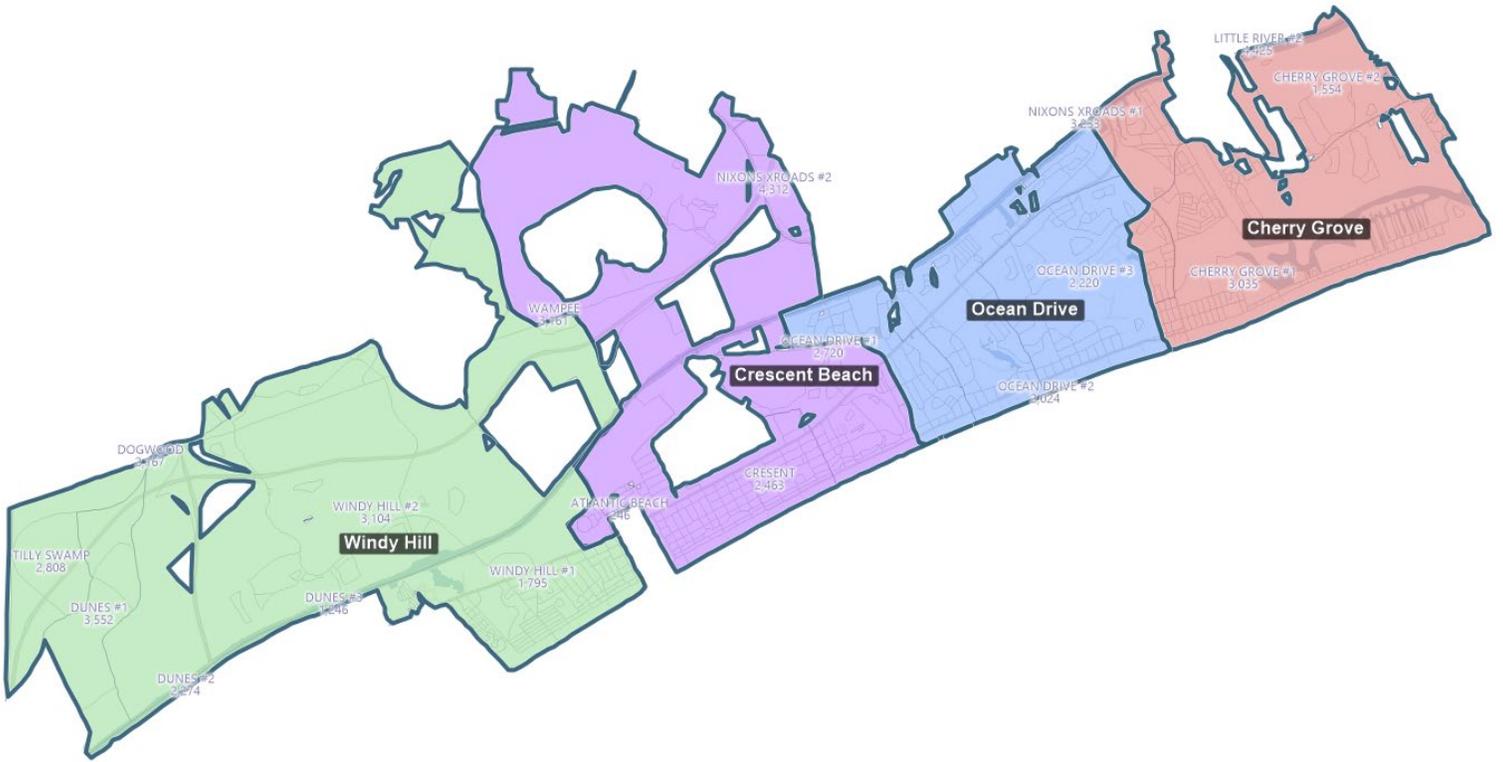
City Manager

FIRST READING: 5.15.2023

SECOND READING: _____

ORDINANCE: _____

EXHIBIT A



<u>Ward Name</u>	<u>Population</u>
Windy Hill	4743
Crescent Beach	4774
Ocean Drive	4814
Cherry Grove	4704