**AN ORDINANCE OF THE TOWN OF WINNSBORO**

**ORDINANCE NO. 64**

**AN ORDINANCE TO AMEND SECTION 1-11-04 OF THE MUNICIPAL CODE OF THE TOWN OF WINNSBORO, SOUTH CAROLINA, TO ESTABLISH THE BOUNDARIES OF THE TOWN OF WINNSBORO’S FOUR DISTRICT BY RE-DRAWING (REDISTRICTING) THE FOUR DISTRICTS; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Winnsboro, South Carolina did previously adopt Title 1, Code of the Town of Winnsboro, (1976), to provide for municipal elections in accordance with the provisions of Title 5-5-10, et seq., Code of Laws of South Carolina, (1976); and

**WHEREAS**, the Town Council of the Winnsboro, South Carolina finds that the results of the 2020 census show an increase in the population and change in the demographics of certain existing districts within the Town of Winnsboro, South Carolina; and

**WHEREAS**, the Town Council of the Town of Winnsboro, South Carolina finds that in order to comply with the Voting Rights Act of 1965, the Town of Winnsboro, South Carolina must now re-draw the several district boundaries (redistrict); and

**WHEREAS**, this Ordinance shall establish, subject to the requirements of the Voting Rights Act of 1965, the designation of the several district boundaries.

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WINNSBORO, SOUTH CAROLINA; AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE SAID TOWN COUNCIL THAT:**

**NOTE: Underlined and bold-face typed** portions indicate additions to the Municipal Code. ~~Stricken~~ portions indicate deletions to the Municipal Code.

**Section 1.** That Section 1-11-04, Code of the Town of Winnsboro, shall be amended as follows:

§ 11.04 DISTRICTS.

(A) In compliance with the United States Constitution, the Constitution of this state, S.C. Code § 4-9-90, as amended, and the United States Voting Rights Act of 1965, as amended, being 42 U.S.C. §§ 1973 et seq., the Town Council has determined to realign the electoral districts for the election of members of Council in accordance with the Federal Decennial Census of ~~2010~~ **2020**.

(B) There presently exist four single-member districts for the election of Town Council members.

(C) This section is for the purpose of defining the boundaries of these four single-member election districts.

(D) The redefining of the district boundaries is based upon the ~~2010~~ **2020** Census for redistricting purposes in order that the population of the districts shall comply with the requirements set forth in the Voting Rights Act of 1965, being 42 U.S.C. §§ 1973 et seq.

(E) The pertinent demographic data in reference to the proposed districts is attached to Ordinance ~~071712~~ **64** as Exhibit A and is incorporated herein by reference as if fully set forth. The four single-member election districts for the election of Town Council members are hereby redistricted to be depicted on the map of the town attached to Ordinance ~~071712~~ **64** as Exhibit B and incorporated herein by reference as if fully set forth.

(F) The Town Manager is authorized and directed to take administrative action to promulgate and execute any procedures and policies as may be necessary or desirable to carry into effect and implement the redistricted single-member election districts provided for in this section, including the elections required thereby, and in accord with any directions, suggestions or objections of the Civil Rights Division, U.S. Department of Justice, after submittal to it of this section.

(G) This section shall become effective upon adoption by the Council of this town.

(Ord. ~~071712~~ 64, passed \_\_\_\_\_\_\_\_)

**Section 2. Applicability.** Subject to compliance with the Voting Rights Act of 1965, as amended, this Ordinance shall become applicable to, and shall govern the election for the Mayor and Town Council in April 2023, and all subsequent elections, unless and until changed.

**Section 3. Severability.** If any part of this Ordinance is held to be unconstitutional, illegal or invalid for any reason, it shall be construed to have been the legislative intent of the Town Council of the Town of Winnsboro, South Carolina to pass this Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed and held to be valid as if such portion had not been included. If this Ordinance, or any provision thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property or circumstances.

**Section 4. Effective Date.** This Ordinance shall become effective upon:

1. Adoption hereof by the Town Council of the Town of Winnsboro, South Carolina; and
2. Indication of compliance with the Voting Rights Act of 1965.

**PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF WINNSBORO, SOUTH CAROLINA ON THIS DAY OF , 2022.**

**John McMeekin, Mayor**

**Patti Davis, Town Clerk**

**First Reading:**

**Second Reading:**