



STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF FAIRFIELD )

ORDINANCE NO. 502

ORDERING A REFERENDUM IN FAIRFIELD COUNTY, SOUTH CAROLINA, TO SUBMIT TO THE ELECTORS OF THE COUNTY THE QUESTION OF WHETHER THE COUNTY SHALL BE AUTHORIZED AND EMPOWERED TO ACQUIRE A WATER SYSTEM BY INITIAL CONSTRUCTION TO SERVE AREAS OF THE COUNTY NOT BEING SERVED BY EXISTING WATER SYSTEMS; PROVIDING FOR THE FORM OF BALLOT TO BE USED; PROVIDING FOR NOTICE THEREOF; AND PROVIDING FOR ALL OTHER THINGS NECESSARY TO SUBMIT THE AFORESAID QUESTIONS.

BE IT ORDAINED BY THE COUNTY COUNCIL OF FAIRFIELD COUNTY, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Findings: The County Council (Council) of the County of Fairfield, South Carolina (County), hereby finds and determines:

(a) Pursuant to Section 4-9-10 et seq., Code of Laws of South Carolina, 1976, as amended (the Code), and the results of a referendum held in accordance therewith, the County Administrator form of government was selected and the County Council constitutes the governing body of the County.

(b) Pursuant to Article VIII, Section 16 of the Constitution of the State of South Carolina, as amended, any County may, upon a majority vote of electors voting on the question, acquire by initial construction or purchase a water system and thereafter operate such water system.

(c) It is in the best interest of the County for the Council to provide that a referendum be held in order to submit to the qualified electors of the County the question of whether the County may acquire a water system by initial construction to serve areas of the County not being served by existing water systems, and thereafter operate such water system.

SECTION 2. Order to Hold Referendum: Pursuant to aforesaid provision of the Constitution and laws of the State of South Carolina, including, without limitation, Title 7 of the Code, there is hereby ordered a referendum to be held in the County on November 8, 2005 (the Referendum), at which there shall be submitted to all persons, residents of the County, qualified to vote under the Constitution and the Code of Laws of the State of South Carolina, the question set forth in Section 5 hereof.

Such Referendum shall be conducted by the Fairfield County Election and Registration Commission, pursuant to the authority vested in it by the South Carolina



stitution and the Code of Laws of the State of South Carolina.

SECTION 3. Voting and Polling Places: The voting precincts in the County for the Referendum shall be those designated by the Fairfield County Election and Registration Commission, pursuant to the authority vested in it by the South Carolina Constitution and the Code of Laws of the State of South Carolina.

Pursuant to the authority of the Fairfield County Election and Registration Commission, the polls shall be opened and closed at times to be designated on the date fixed for the Referendum and shall be held open during said hours without intermission or adjournment.

SECTION 4. Form of Ballot: The Election and Registration Commission shall furnish to the managers of election a sufficient number of ballots printed on clear white paper, of such form and size as will fit the ballot frames of the voting machines, the arrangement of the form of the question to be prescribed by the Elections and Registrations Commission. The Referendum shall be conducted in accordance with the provisions of the South Carolina Election law governing voting machines. The form of the questions on the ballot frame to be used in the Referendum and the instructions to voters appearing thereon shall be in substantially the form set forth below. The format on the ballot may be changed to accommodate voting machines, but the form of questions shall remain the same.

There must be provided for each polling place the number of ballots needed to comply with the Constitution and the Code of Laws of the State of South Carolina.

SECTION 5. Question Presented:

Question: Shall Fairfield County be authorized to engage in the provisions of water services and facilities in Fairfield County to serve areas not being served by existing water systems?

YES [ ]

NO [ ]

If the voter wishes to vote in favor of the question, place a check or crossmark in the square after the word "Yes." If the voter wishes to vote against the question, place a check or crossmark in the square after the word "No."

SECTION 6. Notice of Referendum: The Fairfield County Election and Registration Commission shall cause to be published, pursuant to the Constitution of the State of South Carolina and the Code of Laws, a Notice of Referendum in a newspaper having general circulation in the County. Such notice shall be published as required in order to comply with the Constitution and the Code of Laws of the State of South Carolina.

SECTION 7. Execution of Documents: The Council hereby authorizes the Chairman of County Council, the County Administrator, the Clerk to County Council and the attorney(s) for Council to execute such documents and instruments as necessary with regard to



the Referendum.

SECTION 8. Effective Date: All rules, regulations resolutions and parts thereof, procedural or other wise, in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its enactment.

Enacted this 25<sup>th</sup> day of July, 2005

Fairfield County, South Carolina

David L. Ferguson  
David L. Ferguson, Chairman of County Council

Kamau Marcharia  
Kamau Marcharia, Vice Chairman of County Council

James E. Branham  
James E. Branham, Council Member

R. David Brown  
R. David Brown, Council Member

Mary Lynn Kinley  
Mary Lynn Kinley, Council Member

Carnell Murphy  
Carnell Murphy, Council Member

Mikel R. Trapp  
Mikel R. Trapp, Council Member

First Reading: June 13, 2005  
Second Reading: June 27, 2005  
Third Reading: July 25, 2005  
Public Hearing: July 25, 2005