

ORDINANCE NO: 188
CITY OF TEGA CAY, SOUTH CAROLINA

AN ORDINANCE TO RECOGNIZE THE CHANGE IN FORM OF THE CITY OF TEGA CAY'S GOVERNMENT FROM MAYOR-COUNCIL FORM TO COUNCIL-MANAGER FORM, SAID CHANGE BEING ENACTED BY REFERENDUM IN THE SPECIAL ELECTION HELD ON JUNE 11, 2002; TO RECOGNIZE THE REPEAL OF CITY ORDINANCES PROVIDING FOR THE MAYOR-COUNCIL FORM OF GOVERNMENT AND THE EMPOWERMENT OF THE MAYOR UNDER A MAYOR-COUNCIL FORM OF GOVERNMENT.

WHEREAS, in 1982, pursuant to Section 5-1-50 of the South Carolina Code of Laws ("S.C. Code"), the electorate of the City of Tega Cay (the "City") voted in favor of establishing a particular form of government for the City, said form being referred to by South Carolina law as the "mayor-council form of government", and

WHEREAS, Title 5, Chapter 5 of the S.C. Code provides the method for changing the form of government for South Carolina municipalities. A city council, by ordinance, may call for a special election in which the electorate votes on the question of whether to change the form of government; and

WHEREAS, pursuant to Section 5-5-20 of the S.C. Code, the Tega Cay City Council adopted Ordinance No. 186 on March 18, 2002, which called for a special election to consider whether the City's form of government should be changed from the mayor-council form to the council-manager form. The council-manager form of government is described by Title 5, Chapter 9 of the S.C. Code. Ordinance No. 186 (Section 3) ordained that the change in form of government would take effect immediately upon ratification of the voting results; and

WHEREAS, a referendum by special election was held on June 11, 2002 to consider the change in form of government. A majority of the votes cast were in favor of the change to council-manager form, thereby enacting the council-manager form of government for the City of Tega Cay. This ordinance is to recognize such change in the form of government and the contemporaneous repeal, as a matter of law, of: 1) all City ordinances establishing the mayor-form of government, and 2) the empowerment of the mayor resulting therefrom.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Tega Cay, South Carolina, in meeting duly assembled, as follows:

Section 1. The Council recognizes the change in form of the City's government from mayor-council form to council-manager form, as enacted by the referendum by special election held on June 11, 2002.

Section 2. The Council recognizes that the change in form of government, as a matter of law, repeals the City ordinances establishing the mayor-council form of government and the ordinances, or portions thereof, empowering the mayor to fulfill his duties under the mayor-council form of government.

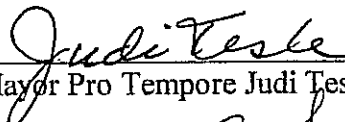
Adopted by majority of Council present this 29th day of July, 2002.

FIRST READING: July 29, 2002

SECOND READING: August 19, 2002



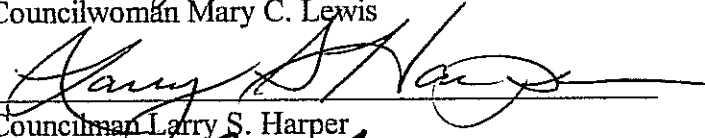
Mayor Bob Runde



Mayor Pro Tempore Judi Tesla



Councilwoman Mary C. Lewis

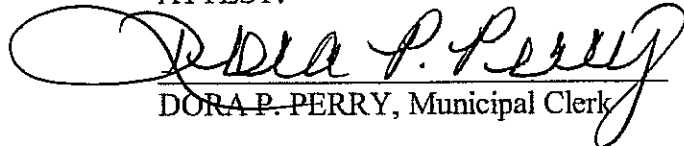


Councilman Larry S. Harper



Councilman Gerry C. Parker

ATTEST:



DORA P. PERRY, Municipal Clerk