**MEMORANDUM TO COUNCIL**
**REGARDING: ORDINANCE 2026-004**

ISSUE: There may be an issue with the hierarchy of actions of Council between Resolutions and Ordinanaces.

RESOLUTION: By Ordinance, adopt the provisions of Resolution 2026-003 as an Ordinance.

REASONING: Governing Councils are by nature deliberative bodies. Given due time and circumstance, actions of a Council should be taken in accordance with the procedural requirements of adoption of resolutions. However, in many instances due to exigent circumstance, time deadlines, emergency operations, or to prevent or limit harm, Council may act by Resolution. It is my opinion that when time and circumstance permit, such actions should be affirmed by the governing body by adopting an Ordinance incorporating the prior Resolution. This recognizes that while the governing body may be required to act quickly by circumstance, that governing body also respects the procedural obligations inherent to the organization.

**ORDINANCE #2026-004**

**AN ORDINANCE TO ADOPT THE PROVISIONS OF RESOLUTION 2026-003 AS AN ORDINANCE OF THE CITY OF MULLINS, SOUTH CAROLINA**

WHEREAS, on February 27, 2026, the City Council of Mullins, called a Special Meeting due to the exigent circumstances requiring immediate action by Council; and,

WHEREAS, Council recognizes that absent exigent circumstance, time and circumstance so allowing, it prefers to take action by Ordinance when feasible; now,

THEREFORE, BE IT ORDAINED, that the City of Mullins does hereby adopt and incorporate as if stated forth fully herein, the provisions of Resolution #2026-003, a copy of which is attached hereto, as an Ordinance of the City of Mullins, South Carolina.

**THEREFORE, IT IS SO ORDAINED.**

ATTEST:

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Clerk

_____
Mayor

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Members of City Council

First Reading: _____

Final Reading and Adoption:

_____

APPROVED AS TO FORM:

_____
City Attorney