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ORDINANCE NO. 2023-2

AN ORDINANCE AMENDING CHAPTER 14, ELECTIONS, ARTICLE III, ELECTION PRECINCTS, SECTION 14-53 OF THE CODE OF THE COUNTY OF HALIFAX, VIRGINIA; DIVIDING PRECINCT 19, MIDWAY PRECINCT, INTO TWO SEPARATE PRECINCTS, PRECINCT 19-A, MIDWAY SOUTH PRECINCT AND PRECINCT 19-B, MIDWAY NORTH PRECINCT, BUT WITHOUT RELOCATING ANY POLLING PLACE; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, Virginia Code § 24.2-307 prohibits a locality from maintaining election precincts that are divided between House of Delegates districts where the locality can establish a precinct for each House of Delegates district with 100 or more registered voters; and

WHEREAS, on December 28, 2021, the Supreme Court of Virginia entered its final order establishing the voting districts for the Virginia House of Delegates, the Senate of Virginia, and for Virginia's representatives to the United States House of Representatives; and

WHEREAS, following the redistricting established by the Supreme Court of Virginia, the current Precinct 19, Midway Precinct, in Halifax County is divided between the 49th House of Delegates district and the 50th House of Delegates district, and each House of Delegates district has more than 100 registered voters from the current precinct; and

WHEREAS, because the current Precinct 19, Midway Precinct, is split between two House of Delegates districts and each House of Delegates district has more than 100 registered voters from the current precinct, the current precinct must be divided into two separate election precincts along the boundary between the 49th and 50th House of Delegates districts; and

WHEREAS, the new Precinct 19-A, Midway South Precinct, will include approximately 906 registered voters all of whom will be in the 49th House of Delegates district, and the new Precinct 19-B, Midway North Precinct, will include approximately 115 registered voters all of whom will be in the 50th House of Delegates district; and

WHEREAS, Virginia Code § 24.2-310(A) requires that polling places be located either within a precinct or within one mile of the precinct boundary; and

WHEREAS, the Midway Volunteer Fire Department is the current polling place for Precinct 19, Midway Precinct, and it is located on U.S. Route 58, which will be the boundary between the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, following adoption of this Ordinance; and

WHEREAS, following adoption of this Ordinance, the Midway Volunteer Fire Department will be located within one mile of the boundary between the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct; and

WHEREAS, following adoption of this Ordinance, all registered voters in the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, will remain in Halifax County Election District 7; and

WHEREAS, no polling places will be relocated following adoption of this Ordinance, and all registered voters in the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, will continue to vote at the Midway Volunteer Fire Department; and

WHEREAS, the Board of Supervisors of the County of Halifax, Virginia (the "Board") has determined that it is in the best interests of the County of Halifax, Virginia and its citizens that the current Precinct 19, Midway Precinct, be divided into the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, as described herein, provided that no polling places shall be relocated by this Ordinance; and

WHEREAS, this Ordinance has been advertised as required by Virginia Code § 15.2-1427(F) and Virginia Code § 24.2-306.

NOW THEREFORE, be it ordained by the Board of Supervisors of the County of Halifax, Virginia, as follows:

Section 1. Chapter 14, Article III, Section 14-53 of the Code of the County of Halifax, Virginia ("Code") is hereby amended and recodified to read as follows:

Sec. 14-53. Election district #7.

(a) *Precinct #17, Hycoc precinct.* Polling place and boundaries of Precinct #17, Hycoc precinct, are as follows:

(1) Polling place: Cluster Springs Volunteer Fire Department/Community Center off the west side of U.S. Route 501 at State Route 704.

(2) Beginning at a point on the border between the State of North Carolina and the County of Halifax, Virginia, at the intersection of State Route 714, thence in a northerly direction along State Route 714 to its intersection with State Route 711, thence in a northeasterly direction on State Route 711, 0.52 mile to the intersection of State Route 797, thence in a northerly direction on State Route 797 to its intersection with State Route 658, thence northerly and easterly on State Route 658 to its intersection with U.S. Route 501 at Cluster Springs, thence in a northerly direction on

U.S. Route 501, Huell Matthews Highway, to its intersection with US Route 58, Bill Tuck Highway, , thence in an easterly direction along U.S. Route 58 to its west intersection with State Route 742, thence easterly along State Route 742 to its intersection with State Route 743, Ponderosa Road, thence southwesterly along State Route 743 to its intersection with State Route 744, Hyco Road, thence southeasterly along Route 744, Hyco Road, to its intersection with Route 741, Wallace Cole and Lowery Roads, thence southeasterly along Route 741, Wallace Cole and Lowery Roads, to its intersection with Hyco River, thence upstream along Hyco River to Mayo Creek, thence upstream along Mayo Creek to State Route 96, Virgilina Road, thence west along State Route 96 to its intersection with U.S. Route 501, thence in a southerly direction along U.S. Route 501 to its intersection with the North Carolina line, thence in a westerly direction along the border of North Carolina to the intersection of State Route 714 at the point of beginning.

(b) *Precinct #18. Virgilina precinct.* Polling place and boundaries of Precinct #18, Virgilina precinct, are as follows:

(1) Polling place: Virgilina Volunteer Fire Department on Florence Avenue, approximately 800 feet north of Seventh Street in the Town of Virgilina.

(2) Beginning at the North Carolina line on U.S. Route 501, thence northerly along U.S. Route 501 to its intersection with State Route 96, thence in a southeasterly direction on State Route 96 to its intersection with Mayo Creek, thence downstream along Mayo Creek to Hyco River, thence downstream along Hyco River to its intersection with State Route 738, Kingswood Road, thence southeasterly along Route 738 to its intersection with State Route 602, North Fork Church Road, thence easterly along Route 602 (North Fork Church Road, Hitesburg Church Road, Hites Mill Road) to the Mecklenburg/Halifax County border, thence in a southerly direction meandering along Aaron's Creek and the Mecklenburg/Halifax County border to its intersection with the North Carolina Line, thence in a westerly direction along the border of North Carolina to the intersection with U.S. Route 501 at the point of beginning.

(c) *Precinct #19-A. Midway South precinct.* Polling place and boundaries of Precinct #19-A, Midway South precinct, are as follows:

(1) Polling place: Midway Volunteer Fire Department on the north side of U.S. Route 58, approximately 1,200 feet west of State Route 732.

(2) Beginning at a point at the west intersection of Bill Tuck Highway (U.S. Route 58) with State Route 742, thence easterly along State Route 742 to its intersection with State Route 743, Ponderosa Road, thence southwesterly along State Route 743 to its intersection with State Route 744, Hyco Road, thence southeasterly along Route 744, Hyco Road, to its intersection with Route 741, Wallace Cole and Lowery Roads, thence southeasterly along Route 741, Wallace Cole and Lowery Roads, to its intersection with Hyco River, thence downstream along Hyco River to its intersection with State Route 738, Kingswood Road, thence southeasterly along State Route 738 to its intersection with State Route 602, North Fork Church Road, thence easterly along State Route 602 (North Fork Church Road, Hitesburg Church Road, Hites Mill Road) to the Mecklenburg/Halifax County border, thence northerly along the border and downstream along Aaron's Creek to Bill Tuck Highway (U.S. Route 58), thence westerly along Bill Tuck Highway (U.S. Route 58) to the point of beginning.

(d) *Precinct #19-B, Midway North precinct.* Polling place and boundaries of Precinct #19-B, Midway North precinct, are as follows:

(1) Polling place: Midway Volunteer Fire Department on the north side of U.S. Route 58, approximately 1,200 feet west of State Route 732.

(2) Beginning at a point at the intersection of Bill Tuck Highway and the Mecklenburg/Halifax County border, thence northerly along the border and downstream along Aaron's Creek to the Dan River, thence westerly upstream along the Dan River to Grassy Creek, thence southwesterly along Grassy Creek to its intersection with Bill Tuck Highway (U.S. Route 58), thence easterly along Bill Tuck Highway (U.S. Route 58) to the point of beginning.

(Ord. No. 2022-23, § 3, 8-8-2022; Ord. No. 2023-2, § 1, 3-6-23)

Section 2. Section 1 of this Ordinance shall be made a part of the Code without the underlining and strikeouts, which are included herein for reference only.


Section 3. Chapter 14 of the Code shall remain unamended and in full force and effect except to the extent specifically amended herein.

Section 4. The recitals to this Ordinance are hereby incorporated by reference and are declared to be findings of the Board in connection with its decision to adopt this Ordinance.

Section 5. The Ordinance shall become effective thirty (30) days following its adoption and enactment by the Board of Supervisors of Halifax County, Virginia.

Section 6. The Clerk shall record a copy of this Ordinance in the Board's official minutes. The Clerk also shall send a certified copy of this Ordinance to the County's Electoral Board, the State Board of Elections, and such other departments and agencies as the Clerk may determine to need notification of the adoption and enactment of this Ordinance.

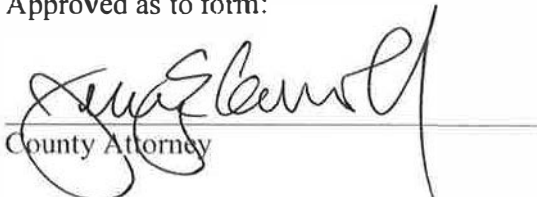
Passed and adopted by the Board of Supervisors of the County of Halifax, Virginia this 6th day of March, 2023.


Chairman

ATTEST:


Clerk, Halifax County Board of Supervisors

Approved as to form:


County Attorney