



**ANDERSON
C O U N T Y**
SOUTH CAROLINA

AGENDA
ANDERSON COUNTY COUNCIL
SPECIAL CALLED MEETING
July 31, 2018 at 6:00PM
Historic Courthouse – Council Chambers – Second Floor
Chairman Tommy Dunn, Presiding

Tommy Dunn
Chairman
Council District 5

Ray Graham
Vice Chairman
Council District 3

Craig Wooten
Council District 1

Gracie S. Floyd
Council District 2

Thomas F. Allen
Council District 4

Ken Waters
Council District 6

M. Cindy Wilson
Council District 7

Lacey A. Croegaert
Clerk to Council

Rusty Burns
County Administrator

1. **CALL TO ORDER:**

2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**

Mr. Ken Waters

3. **CITIZENS COMMENTS:** Agenda Matters

4. **ORDINANCE FIRST READING:**

- a. **2018-030:** an ordinance ordering a referendum to determine whether the South Carolina Department of Revenue may issue temporary permits to allow for the possession, sale and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments authorized to be licensed for consumption-on-premises sales to allow the sale of beer and wine at permitted premises locations without regard to the days or hours of sales.

Mr. Ray Graham (allotted 10 minutes)

5. **RESOLUTIONS:**

- a. **2018-039:** a resolution to provide an Advisory Referendum pursuant to S.C. Code Section 4-9-30(16) on the question of whether Anderson County should impose a Hospitality Tax under Title 6, Article 7 of the South Carolina Code in unincorporated areas of the county on the November 6, 2018, General Election Ballot.

Mr. Craig Wooten (allotted 10 minutes)

6. **CITIZENS COMMENTS:**

7. **ADJOURNMENT:**

ORDINANCE NO. 2018-030

AN ORDINANCE ORDERING A REFERENDUM TO DETERMINE WHETHER THE SOUTH CAROLINA DEPARTMENT OF REVENUE MAY ISSUE TEMPORARY PERMITS TO ALLOW FOR THE POSSESSION, SALE AND CONSUMPTION OF ALCOHOLIC LIQUORS BY THE DRINK TO BONA FIDE NONPROFIT ORGANIZATIONS AND BUSINESS ESTABLISHMENTS AUTHORIZED TO BE LICENSED FOR CONSUMPTION-ON-PREMISES SALES AND TO ALLOW THE SALE OF BEER AND WINE AT PERMITTED OFF-PREMISES LOCATIONS WITHOUT REGARD TO THE DAYS OR HOURS OF SALES.

WHEREAS, certain businesses located in the unincorporated areas of Anderson County desire to sell beer/wine beverages and allow consumption on premises, on Sunday so as to maintain competitiveness with other counties and municipalities in adjacent areas that allow the sale of beer/wine beverages and consumption on premises on Sunday;

WHEREAS, the Anderson County Council (the "Council") has been informed and believes that Sunday sales of alcoholic beverages for on-premises and off-premises consumption may allow local restaurants and business to remain competitive with restaurants and businesses in other counties and municipalities that allow the sale of alcoholic beverages in Sundays;

WHEREAS, pursuant to S.C. Code Ann. Section 61-6-2010(C)(4), counties are authorized to request by ordinance a referendum to be conducted at the next general election on the issue of allowing the sale of alcoholic beverages on Sundays; and

WHEREAS, the Council deems it appropriate that the citizens of the County be given the opportunity to determine this important issue because it relates to the economic development, hospitality, tourism and the health and welfare of the community.

NOW THEREFORE, be it ordained by the Anderson County Council in meeting duly assembled that:

The Anderson County Board of Voter Registration and Elections Board is hereby directed to place the following questions on the ballot at the next general election held on November 6, 2018, and to cause a notice be published in the newspaper of general circulation at least seven (7) days before the referendum.

1. Referendum. The form of the questions on the ballot shall be as follows:
 - A. **'Shall the South Carolina Department of Revenue be authorized to issue temporary permits in this county for a period not to exceed twenty-four hours to allow the possession, sale, and consumption of alcoholic liquors by the drink to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed for consumption-on-premises sales?'**

Yes, In favor of the question _____

No, Opposed to the question _____

B. 'Shall the Department of Revenue be authorized to issue temporary permits in this county for a period not to exceed twenty-four hours to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales?.'

Yes, In favor of the question _____

No, Opposed to the question _____

2. **Severability.** If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

3. **Effective Date.** This Ordinance shall take effect upon the date of its adoption.

ORDAINED in meeting duly assembled this _____ day of _____, 2018.

ATTEST:

Rusty Burns
Anderson County Administrator

Tommy Dunn, Chairman
Anderson County Council

Lacey A. Croegaert
Clerk of Council

APPROVED AS TO FORM:

Leon C. Harmon
Anderson County Attorney

First Reading: _____

Second Reading: _____

Third Reading: _____

Public Hearing: _____

RESOLUTION NO. R2018-039

A RESOLUTION TO PROVIDE FOR AN ADVISORY REFERENDUM PURSUANT TO S.C. Code Section 4-9-30(16) ON THE QUESTION OF WHETHER ANDERSON COUNTY SHOULD IMPOSE A HOSPITALITY TAX UNDER TITLE 6, ARTICLE 7 OF THE SOUTH CAROLINA CODE IN UNINCORPORATED AREAS OF THE COUNTY ON THE NOVEMBER 6, 2018, GENERAL ELECTION BALLOT.

WHEREAS, Anderson County South Carolina does not have a hospitality tax within the unincorporated areas of the County;

WHEREAS, South Carolina law, specifically S.C. Code Section 6-1-720, provides that a local governing body may impose, by ordinance, a local hospitality tax not to exceed two (2) percent of the charges for prepared food and beverages; and

WHEREAS, the proceeds from a local hospitality tax must be kept in a separate fund separate from the general fund and can be used for purposes set forth in S.C. Code Section 6-1-730; and

WHEREAS, the Anderson County Council desires to know the intent of the registered voters of the unincorporated areas of the County regarding imposition of a hospitality tax and desires to conduct an advisory referendum for that purpose.

NOW THEREFORE, IT IS HEREBY RESOLVED by Anderson County Council in meeting duly assembled that:

1. The Anderson County Board of Voter Registration and Elections is hereby directed to place the following questions on the ballot at the next general election held on November 6, 2018, and cause a notice to be published in a newspaper of general circulation at least seven (7) days before the advisory referendum.

2. The form of the questions on the ballot shall be as follows:

"Shall the Anderson County Council pass an ordinance imposing a hospitality tax of two (2) percent on prepared food and beverages in the unincorporated areas of the County to be used for the purpose allowed by South Carolina law, including the enhancement of tourism and recreational related uses for the benefit of children, the elderly, and all citizens of Anderson County?"

Yes, In favor of the question. _____

No, Opposed to the question. _____

3. This resolution shall take effect and be in force immediately upon enactment.

RESOLVED in meeting duly assembled this 31st day of July 2018.

ATTEST:

FOR ANDERSON COUNTY:

Rusty Bums
Anderson County Administrator

Tommy Dunn
Chairman

Lacey A. Croegaert
Clerk to County Council

APPROVED AS TO FORM:

Leon C. Harmon
Anderson County Attorney