

**MINUTES
ORANGEBURG COUNTY COUNCIL
PUBLIC HEALTH AND SAFETY COMMITTEE
COMMITTEE
SPECIAL CALLED MEETING
September 21, 2015
4:00 P.M.**



Pursuant to the Freedom of Information Act, the news media was notified and notice was posted on the bulletin board 24 hours prior to the meeting.

**MEMBERS PRESENT:
Willie B. Owens, Chairman
Harry F. Wimberly**

**MEMBERS ABSENT:
Janie Cooper-Smith**

OTHERS PRESENT:

**Johnnie Wright, Sr., Chairman, Orangeburg County Council
Johnny Ravenell, County Council Member
Clyde B. Livingston, County Council Member
Heyward Livingston, County Council Member
Harold M. Young, County Administrator
Marion Lloyd, Deputy County Administrator
Lakesha Jefferies, Deputy County Attorney
Faith Carter, Clerk to Council
Lt. Martin Journey, Orangeburg County Sheriff's Office**

CALL TO ORDER

Willie B. Owens, Chairman

Chairman Owens called to order a special session of Orangeburg County Council Public Health and Safety Committee on September 21, 2015 at 4:00 p.m.

MOMENT OF SILENCE

Moment of silence observed

APPROVAL OF MINUTES

September 8, 2015 (RS)

Chairman Owens asked for a motion to approve the minutes for the special called session of the Orangeburg County Public Health and Safety Committee on September 8, 2015. Councilman Wimberly motioned that the minutes of the September 8, 2015 special session of the committee be approved. Councilman Owens seconded the motion. Motion carried. (2-0-0-1).

**COMMUNITY OF CHARACTER TRAIT FOR SEPTEMBER
"LEADERSHIP"**

1. ALCOHOL CONSUMPTION

Chairman Owens recognized Councilman Wimberly. Councilman Wimberly advised that the words “on-premise consumption” should be added to paragraph number 1 on page one for clarification. The committee agreed with this recommendation.

Chairman Owens recognized Deputy County Attorney Lakesha Jefferies. Attorney Jefferies advised that there was some discussion at the last committee meeting in regards to sub-paragraph C on page 2. Attorney Jefferies advised that Lt. Journey with the Orangeburg County Sheriff’s Office was present for this meeting to provide a perspective on sub-paragraph C and its ability to be enforced. Attorney Jefferies yielded to Lt. Journey.

Lt. Journey advised that the state law requires that commercial establishments licensed to sell alcohol cannot sell alcohol after 2:00 a.m. Lt. Journey advised that if a patron purchases a beverage prior to 2:00 am it must out of his possession by 2:00 am exactly. Lt. Journey advised that the wording of sub-paragraph C which utilizes “operation of the establishment” does not ensure that patrons will leave the premises after 2:00 am. Attorney Jefferies advised that the current wording of sub-paragraph C requires patrons to leave the premises prior to 2:30 am.

Lt. Journey advised that criminal incidents tend to occur when people are not required to disperse. The committee agreed with the recommendation to leave the enhanced language of sub-paragraph C.

Chairman Owens recommended that the owner of the establishment be required to post notice to patrons about the ordinance. Attorney Jefferies advised that it is possible to add a section to the ordinance requiring the owners to post a notice of the ordinance and its penalty in an open and obvious area. The committee agreed with this recommendation.

Chairman Owens recognized Councilman Clyde Livingston. Councilman Livingston suggested that the committee consider making it clear that the ordinance is an Orangeburg County ordinance to eliminate any confusion from people passing through the County which may not have similar ordinances where they are from.

Chairman Owens recognized Deputy County Attorney Lakesha Jefferies. Attorney Jefferies advised that the committee preferred to strike the 2:00 am to 6:00 am language in the current Section II however with the new changes it would be more consistent to reintroduce the language to Section II. Attorney Jefferies advised the consideration of the Section II-B which focuses on those patrons who are remaining on the premises of the establishment after 2:00 am. After some discussion, the committee agreed with the language in Section II-B.

Chairman Owens recognized Councilman Wimberly. Councilman Wimberly asked about establishments who repeatedly pay the fine and do not comply with the ordinance. Attorney Jefferies advised that the penalty for violation is up to thirty (30) days in jail or a \$500 fine. However, the Magistrate has the authority to reduce any of those charges.

Chairman Owens recognized County Administrator Harold Young. Administrator Young asked about making the ticketing procedure per occurrence. After some discussion the committee agreed to the per occurrence language.

Chairman Owens recognized County Administrator Harold Young. Administrator Young asked about utilizing the zoning designation as part of the penalty for repeat violations. Attorney Jefferies advised that the zoning designations follow with the land itself, however the certificate of occupancy is tied more directly to the business. After some discussion, the committee agreed to add language that would revoke the certificate of occupancy for a period of six months.

After some discussion, the committee agreed to report to the full Council at the 5:30 pm regular session on September 21, 2015 and recommend first reading of the ordinance.

Councilman Wimberly motioned that the committee present the ordinance for first reading to the full County Council in regular session. Councilman Owens seconded the motion. Motion carried (2-0-0-1).

5. VOTE FOR ADJOURNMENT


Councilman Wimberly motioned that the special session of the Orangeburg County Council Public Health and Safety Committee for September 21, 2015 be adjourned. Councilman Owens seconded the motion. Motion carried. (2-0-0-1).

6. ADJOURNMENT

Meeting adjourned.



Faith E Carter, Clerk to Council



Willie B. Owens
Committee Chairman