

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)

ORDINANCE NO.: 2017-1467

AN ORDINANCE

TO ESTABLISH AN ACCOMMODATIONS TAX ADVISORY COMMITTEE AND TO DESIGNATE THE OLDE ENGLISH DISTRICT AS THE ORGANIZATION SELECTED TO RECEIVE THE THIRTY (30%) PERCENT PORTION OF THE ACCOMMODATIONS RECEIPTS.

WHEREAS, pursuant to South Carolina Code Section 6-4-25(A), a county receiving more than Fifty Thousand (\$50,000.00) Dollars in revenue from the two (2%) percent portion of the state accommodations sales tax as established by South Carolina Code Section 12-36-2630 shall appoint an advisory committee to make recommendations on the expenditure of revenue generated from the state accommodations tax. Further, it appears to the satisfaction of this Council that the most recent annual receipts of state accommodations tax funds exceeded Fifty Thousand (\$50,000.00) Dollars; and

WHEREAS, pursuant to South Carolina Code Section 6-4-10(3), thirty (30%) percent of the state accommodations sales tax received by Lancaster County must be allocated to a special fund and used only for advertising and promotion of tourism through the generation of publicity. Further, Lancaster County is required to select a nonprofit organization which has an existing, ongoing tourist promotion program to receive and administer the use of the funds; and

WHEREAS, the advisory committee referenced herein shall consist of seven (7) members with a majority being selected from the hospitality industry, with it being mandated that two members shall be from the lodging industry and one member shall be from a cultural organization. Lastly, membership shall represent the geographic area where the majority of the revenue is derived; and

WHEREAS, in order to accomplish these mandates, it is necessary that an amendment be made to the existing Lancaster County Code of Ordinances by the addition of wording to Chapter 2, Article XI as noted hereinafter.

NOW THEREFORE, by the power and authority granted to the Lancaster County Council by the Constitution of the State of South Carolina and the power granted to the County by the general assembly of the State, it is ordained and enacted that the Lancaster County Code of Ordinances hereby is amended so as to add to Chapter 2, Article XI to the Code the following Division and Sections, namely:

Section 1. Division 6. – ACCOMMODATIONS TAX ADVISORY COMMITTEE

Sec. 2-380. Establishment and Statement of Purpose.

Lancaster County Council hereby establishes the Lancaster County Accommodations Tax Advisory Committee and charges said committee with the sole responsibility of making recommendations to the Lancaster County Council on the expenditure of the revenue received from the state accommodations tax that is received by the County. Additionally, the Olde English District, a nonprofit organization with an ongoing tourist promotion program, hereby is designated as the organization to receive the thirty (30%) percent monies as required by the South Carolina statutory law noted herein.

Section 2-381. Use of Funds.

Pursuant to South Carolina Code Section 6-4-10, the funds collected by Lancaster County shall be allocated in the manner noted therein. In making its recommendations, particular attention by the Accommodations Tax Advisory Committee shall be given to subsection (4)(a) therein so as to insure compliance with the remaining allocation being used for those tourism-related expenditures noted in subsection (4)(b).

Sec. 2-382 Membership.

The Lancaster County Accommodations Tax Advisory Committee shall be composed of seven (7) regular members. Membership shall be in compliance with the applicable state statute, with the majority of the membership being selected from the hospitality industry of Lancaster County, including two from the lodging industry and one from a cultural organization. To that end, the committee shall be composed of the following:

- Two representatives from the lodging industry;
- One representative from the food and beverage industry;
- One representative from the Lancaster County Council of the Arts;
- One representative from the Lancaster County Chamber of Commerce;
- The Lancaster County Chief Financial Officer;
- The Lancaster County Budget Analyst.

Sec. 2-383 Term of Office.

All members shall be appointed by County Council and shall serve at the pleasure of the Council. Appointments shall be for a four year period except that the initial term of the two lodging industry representatives shall be for a two (2) year period. But for the Lancaster County Chief Financial Officer and the Lancaster County Budget Analyst, no member shall serve for more than two successive four year terms.

Sec. 2-384. Freedom of Information Compliance.

The Accommodations Tax Advisory Committee is a public body within the meaning of Section 30-4-10 et seq. of the South Carolina Code of Laws and, as such, is required to give public notice of its agendas and meetings. Meetings may be closed only for those reasons and purposes cited in the referenced Freedom of Information Act.

Section 2-385. Records and Reports

South Carolina statutory law previously cited herein sets forth the reporting requirements of both the Olde English District and the Accommodations Tax Advisory Committee. Full compliance therewith is expected.

Section 2. Severability.

If any section, subsection or clause of this ordinance is held to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected.

Section 3. Conflicting Provisions.

To the extent this ordinance contains provisions that conflict with provisions contained elsewhere in the Lancaster County Code or other County ordinances, the provisions contained in this ordinance supersede all other provisions and this ordinance is controlling.

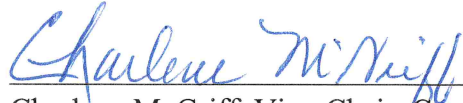
Section 4. Effective Date.

This ordinance is effective upon Third Reading.

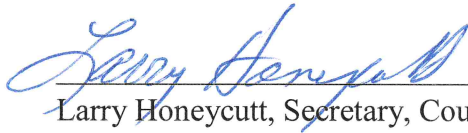
AND IT IS SO ORDAINED

Dated this 25th day of September, 2017.

LANCASTER COUNTY, SOUTH CAROLINA

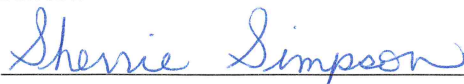


Charlene McGriff, Vice-Chair, County Council



Larry Honeycutt, Secretary, County Council

Attest:



Sherrie Simpson, Clerk to Council

First Reading: 8-28-2017

Second Reading: 9-12-2017

Third Reading: 9-25-2017