

**BAMBERG COUNTY, SOUTH CAROLINA  
ORDINANCE NUMBER 2022-\_\_\_**

**AN ORDINANCE CALLING FOR A REFERENDUM TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF REVENUE TO 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 SALE, ALL IN BAMBERG COUNTY; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, Bamberg County, South Carolina (the “County”), a body politic and corporate and a political subdivision of the State of South Carolina (the “State”), acting by and through its governing body, the Bamberg County Council (the “County Council”), has previously adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Bamberg County Code of Ordinances (the “County Code”), as amended, from time to time; and,

**WHEREAS**, certain business and nonprofit organizations within the County desire to have the ability to possess, sell, and offer for consumption alcoholic liquors by the drink on-premises and to sell beer and wine at permitted off-premises locations seven days a week, with no limitation on the days or hours upon which such beer and wine can be sold; and,

**WHEREAS**, pursuant to Section 61-6-2010(C)(4) of the Code of Laws of South Carolina, 1976, as amended (the “Code”), entitled *Temporary permits upon referendum vote*, a county or municipal governing body is authorized by ordinance to call for a referendum to be conducted at the next general election on the issue of allowing the issuance of a temporary permit to certain business and nonprofit organizations within the County to possess, sell, and offer for consumption alcoholic liquors by the drink on-premises and to sell beer and wine at permitted off-premises locations seven days a week, with no limitation on the days or hours upon which such beer and wine can be sold; and,

**WHEREAS**, pursuant to Section 61-6-2010(C)(4) of the Code, the County Council seeks to call for a referendum and have the Bamberg County Election Commission conduct the referendum and place a question on the ballot at the next general election to be held on November 8, 2022 to determine if the qualified electors shall allow for the issuance of a temporary permit to certain business and nonprofit organizations within the County to possess, sell, and offer for consumption alcoholic liquors by the drink on-premises and to sell beer and

wine at permitted off-premises locations seven days a week, with no limitation on the days or hours upon which such beer and wine can be sold:

**NOW, THEREFORE**, it is hereby ordained by the Bamberg County Council, in meeting duly assembled that:

1. The statements of fact and policy from the preamble of this Ordinance are hereby adopted, as findings of fact, by the County Council, in their entirety, and are hereby adopted by reference, as part of the ordaining language of this Ordinance as fully as if set forth verbatim herein. It is the specific intent of the County Council to enact an ordinance that is fully authorized by the law and Constitution of the State, and is consistent with and does not violate State law.
  
2. Pursuant to the authority granted in Section 61-6-2010(C)(1)(b) of the Code, the County Council hereby requests that the Bamberg County Election Commission place the following question, attached hereto as **Exhibit A**, which is hereby incorporated herein as fully as if set forth verbatim herein, on the ballot at the next general election to be held on November 8, 2022, and to cause a notice to be published in a newspaper of general circulation at least seven (7) days before the referendum. The deadline to submit the referendum question to the Bamberg County Election Commission is noon on \_\_\_\_\_[DATE]\_\_\_\_\_, 2022..
  
3. The County Administrator is hereby authorized and directed to take any and all actions required of the County, or that he may deem desirable in his sole discretion, to give effect to the acts of the County Council as contemplated herein.
  
4. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
  
5. All ordinances, orders, resolutions, and actions of the County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in **Exhibit A** hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking in any regard any prior County acts, actions, or decisions of the County or the County Council, in any regard, except as explicitly and specifically stated herein.
  
6. All other terms, provisions, and parts of the County Code not amended hereby, directly or by implication, shall remain in full force and effect.
  
7. This Ordinance shall take effect and be in full force and effect from and after the third reading and the public hearing and enactment by the County Council in accordance with the County Code.

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Ordained in meeting, duly assembled, this \_\_\_\_ day of \_\_\_\_\_, 2022.

**ATTEST:**

\_\_\_\_\_

Clerk to Bamberg County Council

\_\_\_\_\_

Chairman, Bamberg County Council

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

**EXHIBIT A**  
(Referendum Question)

“Shall the South Carolina Department of Revenue be authorized to issue temporary permits in Bamberg 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 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?”