

STATE OF SOUTH CAROLINA)
)
COUNTY OF GEORGETOWN)

ORDINANCE NO: 2014-16

AN ORDINANCE CREATING AN ALCOHOLIC BEVERAGE USE POLICY AND FURTHER AUTHORIZING THE CONSUMPTION OF ALCOHOLIC BEVERAGES ON REAL PROPERTY OWNED OR OPERATED BY GEORGETOWN COUNTY BY SPECIAL PERMIT.

WHEREAS, the consumption of alcoholic beverages is currently prohibited on most County owned or operated property; and

WHEREAS, certain events held by citizens and private groups that positively impact the citizens of Georgetown County are currently prohibited from serving alcoholic beverages, both free and at a cost, to attendees of fundraising and other events; and

WHEREAS, social events held on County property are prohibited from serving alcoholic beverages to attendees, and

WHEREAS, Georgetown County Council, in an effort to promote philanthropy, tourism, and other events that may positively impact Georgetown County, is desirous of authorizing the consumption of beer and wine in non-glass containers when the proper special permit and necessary insurance have been obtained by an applicant; and

NOW, THEREFORE, be it ordained by the Georgetown County Council the following Alcoholic Beverage Use Policy:

GENERAL:

1. Consumption of alcoholic beverages on Georgetown County owned and operated properties, as named in Exhibit A of this ordinance, are permitted **by special permit only.**
2. A \$300 alcohol fee must be submitted with your Alcoholic Beverage Use Permit Application obtained from the Georgetown County Parks and Recreation Department.
3. **Alcoholic beverages other than beer or wine are prohibited on Georgetown County owned and operated property.**
4. **Alcoholic beverages served in glass containers are prohibited on Georgetown County owned and operated property.**
5. **No person less than 21 years of age may possess and/or consume alcoholic beverages on Georgetown County owned and operated property.**
6. An application for Alcoholic Beverage Use Special Permit must be made 30 days in advance of the event.
7. The Georgetown County Sheriff's Department reserves the right to patrol, attend and monitor events where alcoholic beverages are being served.
8. Georgetown County reserves the right to require the applicant, at the applicant's expense, to provide off-duty officers as security to specific events.

9. Nothing herein requires Georgetown County to grant a special permit for the consumption of alcoholic beverages on County owned or operated property. Each application shall be reviewed on a case by case basis.
10. Special Permits for the consumption of alcoholic beverages pertain only to Georgetown County owned and operated properties as outlined in Exhibit A of this ordinance. The consumption of alcoholic beverages on all other properties owned and operated by Georgetown County is prohibited.

REQUIRED CONDITIONS FOR A PERMIT:

1. Person signing the permit application must be present during the entire event.
2. Permittee will be responsible for verifying the age of all persons consuming alcoholic beverages that are in attendance at the event for which the permit was granted.
3. Physical location and area of alcoholic beverage consumption will be confined to the area specified in the special permit.
4. All conditions of Georgetown County ordinances, policies and procedures apply.
5. Attendees cannot become intoxicated on County owned or operated property. Public intoxication is strictly prohibited and may result in law enforcement action.
6. Person signing the permit application must provide proof of all insurances, as stated herein, a minimum of two weeks prior to the event date. If the insurance required is not obtained or not presented to Georgetown County in accordance with this Ordinance, then the special permit contemplated herein shall be withheld and/or revoked.

REQUIRED INSURANCE AND LICENSING:

1. **General Liability Policy:** A standard general liability policy is required for ALL SPECIAL PERMITS containing limits of \$1 Million per occurrence, \$2 Million Aggregate, \$50,000 Fire Damage Legal Liability and \$5000 Medical Payment Expense. Georgetown County, a body politic and corporate, must be listed as an additional insured.
2. **Host Liquor Liability Policy:** If alcoholic beverages are served for free (at no charge to the consumer) applicant must provide proof of a host liquor liability policy, a special event insurance policy or a general liability insurance policy that includes host liquor liability for the event's specific location. Said policy must contain limits of \$1 Million per occurrence and \$2 Million aggregate. Georgetown County, a body politic and corporate, must be listed as an additional insured.
3. **Commercial Liquor Liability Policy:** In the event a 3rd party or the applicant intends to charge persons for the purchase of alcoholic beverages, the 3rd party or the applicant must possess a commercial liquor liability policy. The commercial liquor liability policy must contain limits of \$1 Million per occurrence and \$2 Million aggregate. Georgetown County, a body politic and corporate, must also be listed as an additional insured.
4. **Licensing:** If a 3rd party is used to dispense alcohol, serve food, or perform other services, the 3rd party must have all required permits and/or licenses. It is not incumbent upon Georgetown County to ensure 3rd party compliance with State and Local laws in relation to other required permits and licenses.

5. **Indemnification:** All applicants shall indemnify and hold the County harmless from actions, be it in tort or contract, that result in any claim for damages against the County as a result of the action, inaction, or omission of the applicant, whether negligent or not, and/or as a result of a contractual breach on behalf of the applicant, including but not limited to, specific performance, demand for payment, liens, and any other contractual obligation.

This Ordinance shall supersede the terms of any other Ordinance that may result in a conflict between the authorizations and prohibitions of such Ordinances.

If any portion of this Ordinance shall be deemed unlawful, unconstitutional, or otherwise invalid, the validity and binding effect of the remaining portions shall not be affected thereby.

DONE IN MEETING DULY ASSEMBLED THIS 27th DAY OF MAY, 2014.

GEORGETOWN COUNTY, SOUTH CAROLINA

By: _____
Johnny Morant, Chairman

ATTEST:

Theresa E. Floyd, Clerk to Council

This Ordinance No. 2014-16, having been reviewed by me and is hereby approved as to form and legality.

Wesley P. Bryant, County Attorney

First Reading: April 22, 2014
Second Reading: May 13, 2014
Third Reading: May 27, 2014

GEORGETOWN COUNTY FACILITIES / Alcohol Permitted by Permit		
Region	Facility	Location
Specialty Facility		
W	Waccamaw Regional Tennis @ Stables	301 Gilman Rd. Pawleys Island
W	Murrells Inlet Community Center	Murrells Inlet Rd Murrells Inlet
G	Bobby Alford Center / East Bay Park	Greenwich Dr. City of Georgetown
G	Carroll Ashmore Campbell Marine Complex	Sampit River Georgetown
Regional Park		
W	Wachesaw	Old Kings Hwy
G	8 Oaks	Highmarket
W	Retreat	Wildcat Way
W	Stables Field Complex	Pettigru
G	East Bay Park	Greenwich Dr
A	Andrews Regional Park	Olive
NW	NW Regional @ Pleasant Hill	School House
NW	NW Regional @ Choppee	Choppee Rd
Regional Facility		
G	Beck Recreation Center	Church Street
G	Howard Center	Hazard St.
A	Andrews Regional Recreation	Maple St.
NW	Choppee Regional Recreation Center	Choppee Rd.
W	Waccamaw Regional Recreation Center	Duncan Rd.
Other County Facilities		
	Georgetown County Airport Facilities	
	Georgetown County Library Facilities	
	Georgetown County Admin./Econ. Dev. Building	
	Environmental Center	

Georgetown County Alcoholic Beverage Use Special Permit Application

Event and Applicant Information			
Today's date:		Event Date:	
Facility for which permit is requested:			
Event time (beginning and ending):			
Name of applicant (individual or organization):			
Applicant/Host/Person of Responsibility:			
Mailing Address:			
City:	State:	ZIP Code:	
Home telephone:	Mobile:	Work:	
Purpose of use:			
Area(s) of consumption (attach sketch):			
Total number of participants expected:			
INSURANCE: Please read the Ordinance attached to this application in order to determine which insurance is required of you.			
General Liability: Y ___ N ___	Commercial Liquor Liability: Y ___ N ___	Host Liquor Liability: Y ___ N ___	
Received and Verified: (Internal Use)	Received and Verified:	Received and Verified:	
Indemnification/Hold Harmless:			
<p>Applicant shall defend, indemnify and hold harmless Georgetown County, its officers, officials, employees and volunteers from and against any and all claims, suits, actions or liabilities for injury or death of any person, or for loss or damages to property, which arises out of the use of premises, or from any activity, work or thing done, permitted, or suffered by use in or about the premises, except only such injury or damages shall have been occasioned by the sole negligence of Georgetown County.</p> <p>As Applicant/Permitee/Host, I understand it is my responsibility to comply with all Georgetown County and the state of South Carolina alcohol beverage laws, including the prohibition against serving alcohol to person who is underage.</p> <p>I understand that Georgetown County Parks and Recreation Department will not issue a final special permit until all proof of insurance is received and verified. Any approval verbally communicated before insurance requirements are met shall be strictly conditional and shall not authorize the consumption of alcoholic beverages on County property.</p>			
Signature of applicant:		Printed Name:	Date:
Approved by:			Date:

***Read Georgetown County's full ordinance pertaining to consumption of alcoholic beverages on county property, beginning on next page.*

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