

2. Tourism-related cultural, recreational, or historic facilities;
3. Beach access and renourishment;
4. Highways, roads, streets, and bridges providing access to tourist destinations;
5. Advertisements and promotions related to tourism development;
6. Water and sewer infrastructure to serve tourism-related demand;
7. Control and repair of flooding and drainage within or on tourism-related lands or areas;
8. Site preparation for items in this section including, but not limited to, demolition, repair, or constructions; or
9. Any other purpose provided for by amendment of Section 6-1-730 of the South Carolina Code of Laws.

B. If at least nine hundred thousand dollars (\$900,000) in accommodations taxes is collected annually in the County pursuant to Section 12-36-920, then the revenues of the Local Hospitality Tax authorized by this ordinance may be used for the operation and maintenance of those items provided in Section A(1) through (6), above, including police, fire protection, emergency medical services, and emergency-preparedness operations directly attendant to those facilities. However, if less than nine hundred thousand dollars (\$900,000) in accommodations taxes is collected annually in the County pursuant to Section 12-36-920, then an amount not to exceed fifty percent (50%) of the Local Hospitality Tax revenue in the preceding fiscal year may be used for the additional purposes listed in this subsection.

C. If applying the provisions of subsection (A)(7), then the revenues must be expended exclusively on public works projects designed to eliminate or mitigate the adverse effects of recurrent nuisance flooding, including that which is attributable to sea-level rise, or other recurrent flooding. Such adverse effects include road closures and other transportation disruptions, stormwater drainage issues, and compromised public infrastructure. The public works projects must be within or on tourism-related lands or areas. Revenues must not be used to pay claims or otherwise settle litigation that may arise from time to time due to the harmful impacts of nuisance of other flooding.

D. With respect to capital projects and as used in this ordinance, "tourist" means a person who does not reside in but rather enters temporarily, for reasons of recreations or leisure, the immediate area of the project for a County project.

4. Bonds and Bond Anticipation Notes.

To the extent not in conflict with state law, the County may issue bonds or bond anticipation notes using the proceeds from the Local Hospitality Tax to pledge as security and/or retire such bonds and bond anticipation notes.

5. Remitting Local Hospitality Tax to Local Governing Body; Frequency Determined by Estimated Average Amounts.

The Local Hospitality Tax must be remitted to the County on a monthly basis when the estimated amount of average tax is more than fifty dollars (\$50.00) a month, on a quarterly basis when the estimated amount of average tax is twenty-five to fifty dollars (\$25.00 to \$50.00) a month, and on an annual basis when the estimated amount of average tax is less than twenty-five Dollars (\$25.00) a month.

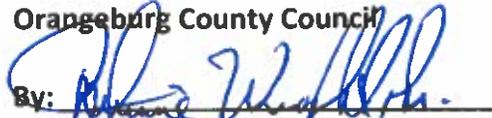
6. Local Hospitality Tax Revenue Upon Annexation.

In any area of the County where the County has imposed the Local Hospitality Tax is later annexed by a municipality, the municipality must receive only that portion of the revenue generated in excess of the County Local Hospitality Tax revenue for the previous twelve months in the area annexed.

7. Conflicts; Severability; Effective Date.

Any previously enacted ordinance or parts of an ordinance that conflict with the provisions of this ordinance is/are hereby repealed from and after the effective date of this ordinance. If, for any reason, any part of this ordinance is invalidated by a court of competent jurisdiction, the remaining portions of this ordinance shall remain in effect. This ordinance shall become effective immediately upon approval at third reading.

Adopted and approved this 5th of June, 2023.

Orangeburg County Council
By: 
Johnnie Wright, Sr., Chairman

Attestation and Certification:

I attest that the signature immediately above is that of the Chairman of Orangeburg County Council, Johnnie Wright, Sr.

I certify that the foregoing constitutes a true, correct and verbatim copy of an ordinance adopted by the Orangeburg County Council. The ordinance was noticed in full compliance with the South Carolina Freedom of Information Act, read and received a favorable vote at three public Council meetings on the days listed below. At least one day passed between first and second reading, and at least seven days passed between second and third reading. At each meeting a quorum of Council was present and remained throughout the passage of this agenda item. In addition, Council held a public hearing on the date listed below which date was at least 15 days after a Notice of Public Hearing on the ordinance appeared in the Times and Democrat, a newspaper of general circulation within the County.

First Reading: April 17, 2023
Public Hearing: May 15, 2023
Second Reading: May 15, 2023
Third Reading: June 5, 2023

By: 
Connie N. Portee, Clerk to Council