

ORDINANCE NO. 273.2016

AN ORDINANCE BY KERSHAW COUNTY COUNCIL REQUIRING
A PERMIT PRIOR TO SOLICITING FUNDS FROM MOTORISTS

FILED FOR RECORD
2016 APR 14 PM 2:01
JOYCE MEDDOR
CLERK OF COURTS
KERSHAW COUNTY, S.C.

WHEREAS, Section 56-5-3180 of the Code of Laws of South Carolina prohibits the solicitation of funds from a vehicle occupant on the public highways except upon the issuance of a permit as authorized by Section 5-27-910 of the Code of Laws of South Carolina.

WHEREAS, Kershaw County Council desires as provided in Section 5-27-910 of the Code of Laws of South Carolina to authorize the issuance of permits by Kershaw County in the unincorporated area of Kershaw County for qualified organizations to solicit funds from motorists on public highways.

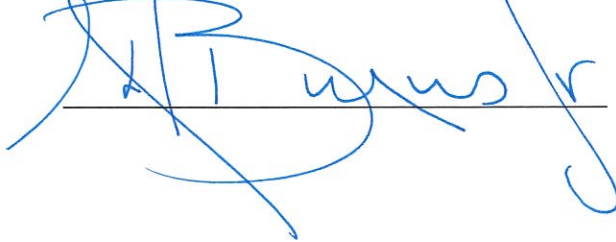
NOW, THEREFORE, BE IT ORDAINED by Kershaw County Council that:

1. Kershaw County, through the County Council is authorized to issue a permit to a rescue squad, volunteer fire department, or charitable or eleemosynary organization as specified in Section 5-27-910 of the South Carolina Code of Laws to solicit funds from motorists on highways and streets located in the unincorporated area of Kershaw County.
2. The organization shall complete a permit application provided by the County, including specific date(s), time(s), and location(s) of the desired solicitation compliant with Section 5-27-910 which shall be specified in the permit if issued.
3. The permit issued may impose limits on solicitation as provided in South Carolina Code Section 5-27-910 and a permit may be granted or denied as determined by the County.
4. No organization may be issued more than two (2) permits in any calendar year, and each permit shall be valid for no longer than seven (7) consecutive days.
5. The application for a permit must be submitted no less than thirty (30) days prior to the proposed beginning solicitation date.
6. The organization must have the permit present at the date(s), time(s), and location(s) of the permitted solicitation.
7. The Kershaw County Council designates the Kershaw County Administrator or his designee as the county official to issue the permit and maintain records of the applications of the permits and permits issued and place limits on the permits.
8. The violation of the terms of the issued permit is a misdemeanor subject to the issuance of a courtesy summons by Kershaw Code Enforcement Officers and punishable as a misdemeanor with a penalty for a convicted first offense in the Magistrate's Court for Kershaw County of a fine not to exceed one hundred dollars (\$100.00) or thirty (30)

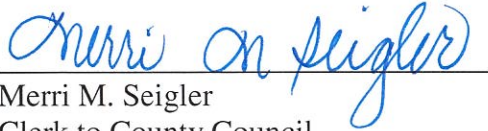
days in jail as determined by the Magistrate plus court fees and assessments. The penalty for a second and subsequent convictions for continuing or repeated offenses in Magistrate's Court for Kershaw County shall be a fine not to exceed two hundred fifty dollars (\$250) or thirty (30) days in jail as determined by the Magistrate plus court fees and assessments.

ADOPTED BY KERSHAW COUNTY COUNCIL THIS 12th DAY OF APRIL, 2016.

KERSHAW COUNTY COUNCIL



ATTEST:



Merri M. Seigler
Clerk to County Council

First Reading: 3/08/2016
Second Reading: 3/22/2016
Third Reading: 4/12/2016



Kershaw County Planning and Zoning Department

515 Walnut Street, Room 160, Camden, SC 29020 803-425-7233

APPLICATION FOR PERMIT TO SOLICIT FUNDS FROM MOTORISTS

PERMIT#	DATE:	PERMIT #:	DATE:
NAME OF ORGANIZATION:			TYPE:
ORGANIZATION MAILING ADDRESS:			EMPLOYER ID (EIN) #
BUSINESS PHONE:	FAX:	CELL:	EMAIL:
DIRECTOR/CHAIRMAN, PRESIDENT'S NAME:		ADDRESS:	
TELEPHONE	FAX:	CELL:	EMAIL:
STATE:	ZIP:	BUSINESS TELEPHONE:	
DIRECTOR NAME:		E-MAIL:	
<small>This application for a permit from Kershaw County Council acting as Kershaw County is pursuant to South Carolina Code Section 5-27-910 and Kershaw County Ordinance No. _____. An Ordinance by Kershaw County Council and South Carolina Code Section 5-27-910 requires a permit prior to soliciting funds from motorists in the unincorporated area of Kershaw County. Kershaw County may grant or deny a permit and may impose limits upon solicitations in the permit issued.</small>			

CONTACT NAME:	CELLULAR TELEPHONE:
MAILING ADDRESS:	CITY:
STATE:	ZIP: E-MAIL

DESCRIBE ACTIONS AND PURPOSE (in detail):

LOCATION APPLIED FOR:			
TIMES AND DATES OF ACTIVITY:	PERSON IN CHARGE	PHONE OF PERSON IN CHARGE	# OF PARTICIPANTS:

START DATE:	END DATE:
APPLICANT'S SIGNATURE:	DATE: FEE REMITTED:

THE FOLLOWING INFORMATION TO BE COMPLETED BY PLANNING AND ZONING STAFF							
JURISDICTION VERIFIED BY:			DATE:	911 NOTIFIED BY:		DATE:	
APPROVED	YES	NO	DATE:	Materials to Be Submitted to Applicant Use Permit Procedures Conditional Use Restrictions Document of charitable or eleemosynary verification Site Plan Requirements Sign Permit Application			
CONDITIONS:							
DENIED	YES	NO	DATE:				
REASONS:							

Soliciting funds from Motorists shall meet the following requirements and conditions were permitted:

- The organization must be a rescue squad, volunteer fire district, or charitable or community organization in South Carolina
- Persons participating must be 18 years of age or older
- At no time shall persons interfere with normal traffic patterns or approach a vehicle while in motion
- Persons must stay out of the road to the best of their abilities
- Persons participating in the solicitation must wear road reflective vests or similar attire at all times
- Signs and banners must not be hung from public utility poles, traffic signs or guide wires
- Temporary tents, cover or like items may not be erected in the public right of way

The violation of the terms of this issued permit is a misdemeanor subject to the issuance of a courtesy summons by Kershaw County Code Enforcement Officers and punishable as a misdemeanor with a penalty for a convicted first offense in the Magistrate's Court for Kershaw County of a fine not to exceed one hundred dollars (\$100.00) or thirty (30) days in jail as determined by the Magistrate plus court fees and assessments. The penalty for second and subsequent convictions for continuing or repeated offenses in Magistrate's Court for Kershaw County shall be a fine not to exceed two hundred fifty dollars (\$250) or thirty (30) days in jail as determined by the Magistrate plus court fees and assessments.

Signature below acknowledges receipt of terms, conditions and violations.

APPLICANT SIGNATURE:	DATE:
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Kershaw County

Solicit Funds from Motorist Permit

Date: _____ Permit No: _____ Issued By: _____

Issued To: _____ Contact No: _____

Name of Organization: _____

Permit Location: _____

Date(s) of Solicitation: _____ Times of Solicitation: _____

POST THIS CARD

This card must be posted in a conspicuous location.