

ORDINANCE 4394

AN ORDINANCE AMENDING AND RESTATING CERTAIN PROVISIONS OF CHAPTER 58, ARTICLE IV OF THE CODE OF ORDINANCES OF THE CITY OF HARTSVILLE, SOUTH CAROLINA TO PERMIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC SPACES WITHIN A DEFINED AREA; AND OTHER MATTERS RELATED THERETO.

The City Council of the City of Hartsville (the “*Council*”), the governing body of the City of Hartsville, South Carolina (the “*City*”), makes the following findings of fact:

- (A) In order to promote and induce a more vibrant downtown district within the City, the Council has determined to permit the possession and consumption of alcoholic beverages within a defined portion of the City, as further described herein, subject to appropriate regulations and controls.
- (B) In order to periodically and thoughtfully consider new development adjacent to the consumption area defined within Section 58-95, *Public Area* boundaries.
- (C) In order to provide for the purposes set forth above, and in order to clarify certain definitions, the Council has determined to amend, restate, and consolidate the provisions of the Alcohol Regulations as set forth below.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Council of Hartsville as follows:

Section 1. Section 58-95 of the Code, as amended and restated, shall be codified and shall read, as follows:

Sec. 58-95. – Possession of open alcohol container in public.

(d)(3) Subject to the limitations in this subsection (d)(3)(a—c) below, beer and wine may be consumed in public areas within the area bounded by the following streets (the "open consumption area"): Home Avenue beginning at its intersection with North 6th Street and extending therefrom to its intersection with South 4th Street; College Avenue beginning at its intersection with North 6th Street and extending therefrom to its intersection with South 4th Street; Carolina Avenue beginning at its intersection with 6th Street and extending therefrom to its intersection with Campus Drive; Marlboro Avenue beginning at its intersection with South Sixth Street to Cargill Way beginning at its intersection with South 5th Street and extending through South 4th Street onto Railroad Avenue to its intersection with Coker Avenue including The Vista; East Laurens Avenue beginning at its intersection with South 5th Street and extending therefrom to its intersection with South 4th Street; Davis Street beginning at its

intersection with South 4th Street and extending therefrom to its intersection with Coker Avenue;

6th Street beginning with its intersection with Marlboro Avenue and extending therefrom to its intersection with West Home Avenue; 5th Street beginning at its intersection with Laurens Avenue and extending therefrom to its intersection with Home Avenue; 4th Street beginning with its intersection with Davis Street and extending therefrom to its intersection with East Home Avenue; and Coker Avenue extending therefrom to the back lot line of The Vista.

A map of the open consumption area is attached as **Exhibit A**.

Section 2. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held or determined to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 3. Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired or liability incurred, or any cause of action acquired or existing, under any act or ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict or inconsistency. This Ordinance shall take effect immediately upon its enactment by Council.

ORDAINED IN MEETING DULY ADVERTISED AND ASSEMBLED on the ___ day of July, 2020 and to become effective as aforementioned.

(SEAL)

ATTEST: By: _____
Carl M. (Mel) Pennington IV, Mayor

By: _____
Sherron L. Skipper, City Clerk
City of Hartsville, South Carolina

First Reading: June 9, 2020
Public Hearing:
Final Reading:

EXHIBIT A FOR ORDINANCE 4394

CITY OF HARTSVILLE OPEN CONSUMPTION AREA

