



LIBERTY CITY COUNCIL - REGULAR SESSION AGENDA

August 6th, 2024- 6:30pm

Rosewood Center - 419 E Main St. Liberty, SC 29657

- **Welcome and Call to Order Mayor Woods**
- **Invocation**
- **Pledge of Allegiance**
- **Mayor's Announcements**
- **Public Session (Speakers are allowed 3 minutes)-**

- **Approval of Minutes –**
 - June 10th, 2024- Regular Session Minutes

- **Unfinished/ Old Business: (2nd Readings)-**

- **New Business: (1st Readings & Resolutions)-**
 - 2024-05- Amending the Smoking Regulation contained in Chapter 23 of the City of Liberty Code.
 - 2024-06—Amending Section #2-41(AGENDA) to provide more flexibility and efficiency in scheduling and conducting City Council meetings.
 - 2024-07- Business License- Update
 - 2024-08- Setoff Debt- Update

- **City Administrator/Department Head Reports-**
 - Mr. Philip Trotter's Administrator's Report

- **City Council Reports –**
 - Robbie Shoenleben (Ward 1)
 - Lavant Padgett (Ward 2)
 - Daniel Graybeal (Ward 3)
 - Jeff Massie (Ward 4)
 - Zachary Arms (At-Large)
 - Rhonda Whitaker (At- Large)

- **Motion to Enter Executive Session**
 - Executive session for the purpose of receiving legal advice on matters covered by the attorney-client privilege related to future use of publicly owned facilities - S.C. Code Sec. 30-4-70(a)(2).
 - Executive session for the purpose of discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or an appointment to a public body- S.C. Code Sec. 30-4-70(a)(1)
- ***Council may or may not vote or take action on matters discussed during executive session after returning to regular session.***
- **Motion to Exit Executive Session**

- **Adjournment**



LIBERTY CITY COUNCIL - REGULAR SESSION AGENDA

June 10th, 2024, at 6:00 PM

Rosewood Center - 419 E Main St. Liberty, SC 29657

- **Welcome and Call to Order Mayor Erica Romo Woods** at 6:02 pm.
- **Invocation Giving by:** Councilmember Graybeal
- **Pledge of Allegiance**
- **Roll Call-**

- Robbie Shoenleben (Ward 1) – Here
- Lavant Padgett (Ward 2) – Here
- Daniel Graybeal (Ward 3)-Here
- Jeff Massie (Ward 4) – Came in after the start of the Executive Session.
- Rhonda Whitaker (At- Large) – Here
- Zachary Arms (At- Large)-Here

- **Mayor Announcements:**

- Mayor Woods will address various topics.

- May 24th—Duncan Burns created and donated the City of Liberty’s first sculpture, “Through My Eyes.” This sculpture brings life and creativity to our downtown.
- Thank you, Liberty Area of Chamber of Commerce, for putting on this year's one-day Concerts & Concert. We appreciate all that you do for the City of Liberty.
- Make sure you visit Sterlin Library for their Summer Reading Program. It's great for the kids.
- Thank you, Donna Garrick, owner of Hops and Harvest. Donna put on the Adult Re-Do Prom. There were people from all over, lots of new faces. It was a great time, and I am happy I could attend.
- Thank you to the Liberty American Legions, which placed flags on all our veterans' graves for Memorial Day.
- Do not forget to Vote June 11th- Statewide Primary Election. If you need more details, go to our Facebook page or Website.

- **Citizens wishing to address the City Council:**

Speakers must reside within city limits, are allowed 3 minutes in total, and must have signed up before 4:30 p.m. on 06/07/2024.

- Peggy Edwards

- **Motion to Enter Executive Session:**

-Motion: Councilmember Graybeal, 2nd: Councilmember Arms, No Discussion, Vote:6-0

SECTION 30-4-70 (2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

-City Finances

-Retail Strategies

Councilmember Massie came in at 6:10-6:15 pm

SECTION 30-4-70 (1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, at its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

-Personnel Matter

- City Council may or may not take action on any or all of the matters discussed in the Executive Session.

- **Motion to Exit Executive Session:**

- Motion: Councilmember Whitaker, 2nd: Councilmember Arms, No Discussion, Vote: 7-0

- **Approval of Minutes:**

May 13th, 2024- Regular Session

-Motion: Councilmember Massie, 2nd: Councilmember Graybeal, No Discussion, Vote:7-0

- **New Business: (1st Readings & Resolutions):**

Resolution- 2024-02, 2024-2025 Revised City of Liberty Handbook

-Motion: Councilmember Graybeal, 2nd: Councilmember Shoenleben, Councilmember Arms if we can amend later if need and Mary stated yes, Vote: 7-0

- **Old Business: (2nd Readings):**

2024-02, 100% Annexation for Parcel Number: 4088-15-64-938- 109 Wiley Rd. Liberty SC 29657
-Motion: Councilmember Massie, 2nd: Councilmember Padgett, No Discussion, Vote: 7-0

2024-03, 100 % Annexation for Parcel Number:4097-00-54-7766- 201 Reeves St. Liberty SC 29657
- Motion: Councilmember Arms, 2nd: Councilmember Whitaker, No Discussion, Vote: 7-0

2024-04, 2024-2025 City of Liberty Operating Budget
-Motion: Councilmember Arms. 2nd Councilmember Massie,

Councilmember Graybeal motioned for making the following amendments to the budget:

- * 2.5% of police salaries from the General Fund to the Hospitality Fund (\$23,998.80)
- * Eliminate the most recent job- City Operations Manager position (\$53,309.29)
- * Go with Greene Finney only for City Finances (BOSS SYSTEM) with an added \$7,000 for Greene Finney to get AR up to date (Save \$19,000- leaving a total of \$87,000 total for accounting and auditing)
- * No mileage increase (\$44,000 needs to be put back into the General Fund)
- * GIS Mapping (\$15,000)
- * The remaining amount that is needed to balance the budget should go into a Capital Improvement Line. (around \$37,308.09)

Councilmember Arms 2nd Councilmember Graybeal's motion, Vote: 7-0
Vote for the amended 2024-2025 City Operating Budget 7-0

● **City Administrator Report**

-Administrator's Report/ City Activities Report

● **City Council Remarks:**

- Robbie Shoenleben (Ward 1)- Be sure to get out and vote tomorrow.
- Lavant Padgett (Ward 2)- Like Councilmember Shoenleben said go vote.
- Daniel Graybeal (Ward 3)- Would like to voice his appreciation to all the people who have reached out during the budget process. Would like to also thank Donna at Hops and Harvest for hosting the Adult Prom.
- Jeff Massie (Ward 4)- No Remark
- Rhonda Whitaker (At- Large)-Thank you all who have reached out. I apologize for not being able to respond to all. I lost both of my in-laws in the same week, and we have had to handle all their arrangements.
- Zachary Arms (At- Large)- Requested that the 2025-2026 budget process be started sooner. We need to get ahead of mapping out new revenues and planning ahead. Thank you to all who came out to my town hall at Lizzie Sues. Thank you, Elizabeth Nelson, for hosting it. Thank you, Donna at Hops and Harvest, for hosting the redo adult prom. It was a great time, and Liberty needs more events like this. There were lots of new faces. Thank you, Philip and Tim, for fixing the sewage coming out of the road on Carla. Tim came in on this vacation time to help fix this leak.

● **Adjournment**

Motion: Councilmember Graybeal, 2nd: Councilmember Whitaker, No Discussion, Vote: 7-0

Date Approved: _____

Attest:

Clerk of Council, Bailee Locke

Mayor, Erica Romo Woods



To sign up to speak at the next council meeting, please email or call our Clerk of Council by 4:30 pm the Friday prior to the meeting.

Blocke@libertysc.com - 864-843-3177

STATE OF SOUTH CAROLINA	ORDINANCE NO.: 2024- <u>05</u>
COUNTY OF PICKENS	
CITY OF LIBERTY	

AN ORDINANCE UPDATING THE SMOKING REGULATIONS CONTAINED IN CHAPTER 23 OF THE LIBERTY CITY CODE.

WHEREAS, the City of Liberty last updated its Smoking Regulations in 2006; and,

WHEREAS, since 2006, the scientific, peer-reviewed studies regarding exposure to both secondhand tobacco smoke and the chemicals emitted as the byproducts of other tobacco use and of inhalant delivery systems, such as the use of vaping products, has continued to document negative health effects; and,

WHEREAS, few things are as important to any community as the health and general welfare of its citizens; and,

WHEREAS, it appears necessary and proper to update and retitle the Smoking Regulations at this time; and,

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Liberty, South Carolina, in Council duly assembled with a quorum present, as follows:

1. Chapter 23 of the Liberty Code Code is retitled as “Tobacco and Inhalant Delivery Systems Regulations;” and,
2. Exhibit A contains the updated Chapter 23 of the Liberty City Code, effective upon enactment.

IT IS SO ORDAINED.

SIGNED, SEALED, AND DELIVERED THIS _____ DAY OF _____ 2024.

CITY COUNCIL:

Erica Romo Woods, Mayor

ATTEST:

Bailee Locke, Clerk of Council

First reading:

Second reading:

ARTICLE V. SMOKING AND INHALANT DELIVERY SYSTEM REGULATIONS

Sec. 23-101. Findings.

As an incident to the adoption of this article, the city council ("city council") of the City of Liberty, South Carolina (the "city") makes the following findings:

- 1) Secondhand smoke as defined herein includes both smoke exhaled and smoke from the end of a burning cigarette, cigar or pipe; and includes a complex mixture of nearly 5,000 chemical compounds, including 43 chemicals that are known human carcinogens; and
- 2) The health consequences of involuntary smoking have been reported by the U.S. Surgeon General to be a cause of disease, including lung cancer, in healthy nonsmokers; and
- 3) The U.S. Surgeon General has concluded that a simple separation of smokers and nonsmokers within the same airspace does not eliminate the exposure of nonsmokers; and
- 4) Secondhand smoke has been classified by the Environmental Protection Agency (EPA) as a known cause of cancer in humans (Group A Carcinogen) like asbestos, arsenic, hexavalent chromium; and
- 5) The National Institutes of Health, Centers for disease Control and Prevention, National Toxicology Program, Report on Carcinogens and the International Agency for Research and Cancer have all reported that secondhand smoke is a human carcinogen; and
- 6) Numerous medical and scientific studies show substantial levels of exposure to secondhand smoke among the United States population, and over the past two decades, the health hazards resulting from exposure to secondhand smoke have been increasingly recognized; and
- 7) Secondhand smoke inhaled by a pregnant woman can increase the risk for low weight babies; and
- 8) Exposure to secondhand smoke by children leads to decreased lung function, asthma, pneumonia, ear infections, bronchitis and even sudden infant death syndrome; and
- 9) Exposure to secondhand smoke nearly doubles the risk of heart attack; and
- 10) 460,000 annual deaths in the United States directly attributed to tobacco use, of which 55,000 are involuntary tobacco users; and
- 11) Workplaces have been shown to be locations of significant exposure to secondhand tobacco smoke by employees working in the Town of Sullivan's Island; and
- 12) Both the Public Health Services National Toxicology Program and the World Health Organizations' International Agency for Research on Cancer identify secondhand smoke as a human Class A carcinogen and state that there is no safe level of exposure; and
- 13) There are laws, ordinances and regulations in place that protect workers from other environmental hazards, including Class A carcinogens, asbestos, arsenic and benzene, but none which regulate exposure to secondhand smoke; and
- 14) Prohibiting smoking in the workplace increases public awareness of the negative health effects of smoking, reduces the social acceptability of smoking and reduces harm to children and other nonsmokers; and

15) The South Carolina General Assembly at Section 44-95-10 et seq. (the "Clean Indoor Air Act of 1990") imposed certain limitations on smoking. For example, it limited smoking in government buildings (the definition of which includes city owned buildings) except where the owner of such building shall designate smoking areas; and,

16) The city enacted its Smoking Regulations in 2006; since that time, the United States Surgeon General has released reports indicating that aerosol emissions from inhalant delivery systems are not harmless, and can contain nicotine and other harmful and potentially harmful chemicals and metals, which can then be inhaled by non-users;

In 2006, city council determined that additional regulation of smoking in areas beyond those addressed in the Clean Indoor Air Act of 1990 was appropriate in furtherance of its duty to protect the health of its citizens and employees in the workplace. Based on increasing scientific knowledge of the effects of exposure to secondhand smoke and to the exhaled aerosols from inhalant delivery systems, city council now finds it appropriate and necessary to foster and promote public health by also decreasing citizen exposure to secondhand inhalant emissions by regulating the use of inhalant delivery systems in enclosed places normally accessible to the public at large, and in enclosed places normally accessible to and utilized by employees and city employees, and visitors to the city.

Further, as knowledge from scientific and medical studies concerning secondhand exposure to tobacco and to emissions from inhalant delivery systems has advanced, it has become apparent that significant secondhand, harmful exposures are not limited to the use of such products in enclosed spaces. Thus, council has determined that it should foster and promote public health by decreasing involuntary exposure to secondhand smoke and inhalant emissions by regulating smoking and the use of inhalant delivery systems in certain outdoor spaces within the city, as well as in all city owned public parks and recreational facilities within the city.

(Ord. No. 06-0901, § 1(A), 10-9-2006)

Sec. 23-102. Intent.

City council finds that it is appropriate and necessary to protect nonsmokers from involuntary exposure to secondhand smoke and emissions from inhalant delivery systems in the workplace, on city property, in city vehicles, and in public places. Therefore, city council declares that the purpose of this act is to preserve and improve the health, comfort, safety, and environment for workplaces in the city, as well as for the citizens of and visitors to this city. Toward these goals, it is the intent of Council to prohibit smoking and the use of inhalant delivery systems whenever the private choice to smoke or use an inhalant delivery device intrudes or has the capacity to intrude upon the choice of others to be free from the hazards and inconvenience of secondhand smoke or other inhalants in places where they work, stand, sit, dine, drink, read, study or engage in entertainment and recreation in public places or places of employment. Provisions of this article shall be construed to achieve these purposes.

(Ord. No. 06-0901, § 1(B), 10-9-2006)

Sec. 23-103. Definitions.

- 1) *Employee* means any person who performs services for an employer in return for wages, profit or other valuable consideration.
- 2) *Employer* means any person, partnership, association, corporation, trust, school, college, university or other educational institution, nonprofit entity or other organization, including any public or private employer, any manager, supervisor, and all other persons charged with control, supervision, and

operation of any workplace, workspace, or workspaces as defined herein, that employs one or more persons.

- 3) *Enclosed* means a space bounded by walls (with or without windows), and enclosed by doors, including but not limited to, offices, rooms, foyers, waiting areas and halls, **regardless of whether the windows or doors are open or closed.**
- 4) *Inhalant delivery system* means any device or thing, including, but not limited to, devices composed of a heating element, battery, and/or electronic circuit, which provides a vapor or aerosol of nicotine or any other substance(s) for the purpose of inhalation. The term "inhalant delivery system shall include, but shall not be limited to, devices and things manufactured, distributed, marketed, or sold under the description of electronic smoking device, electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or electronic hookah. The term inhalant delivery systems shall include, but shall not be limited to, devices and things used to facilitate "vaping" or the act of inhaling vapor from a liquid via a personal vaporizer or atomizer.

This definition is not intended to prohibit the prescribed use of a product specifically approved by the United States Food and Drug Administration for the use in mitigation, treatment, or prevention of disease, as long as the use of such products does not present a risk of secondhand inhalation or of contact with any residue or emission by non-users.

- 5) *Secondhand smoke* is the complex mixture formed from the escaping smoke of a burning tobacco product (termed as "sidestream smoke") and smoke exhaled by the smoker. Exposure to secondhand smoke is also frequently referred to as "passive smoking," "secondhand smoking" or "involuntary smoking".
- 6) *Police department* means the City of Liberty Police Department.
- 7) *Public building* means any building owned, operated or leased by the city.
- 8) ***Public place* means an area to which the public is invited or to which the public is permitted to have access, including, but not limited to, banks, bars, educational facilities, health care facilities, hotel and motel lobbies, laundromats, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, shopping malls, theaters, waiting rooms, sports arena, stadiums, parks, and ball parks. A private club is a public place when being used for a function to which the general public is allowed entry. A private residence is not a public place unless it is used as a childcare, adult day care, or health care facility.**
- 9) *Retail tobacco store* means any establishment which is not required to possess a retail food permit whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and paraphernalia, in which the sale of other products is merely incidental, and in which the entry of persons under the age of 18 is prohibited at all times.
- 10) *Smoking* means the inhaling, exhaling, burning, lighting or carrying of a lighted cigarette, cigar, pipe, or similar device or any other lighted tobacco product.
- 11) *Smoking materials* includes cigars, cigarettes and all other manner of smoking devices intended to be used for the purpose of inhaling, burning, carrying or exhaling lighted tobacco products.
- 12) *Workplace* means any enclosed indoor area, structure, building or facility or any portion thereof at which one or more employee(s) perform services for their employer, including but not limited to: retail food stores; retail stores; restaurants; bars; cabarets, cafes; public or private clubs; pool halls and bowling alleys.
- 13) *Workspace or workspaces* means any enclosed area occupied by an employee during the course of his or her employment, including but not limited to: offices, customer service areas; common areas; hallways; waiting areas; restrooms; lounges and eating areas.

Sec. 23-104. Prohibition of smoking and the use of inhalant delivery systems.

- 1) It shall be unlawful for any person to use any tobacco product, including a lit cigarette, cigar, pipe or other lighted smoking material or equipment, chewing tobacco, "dip" or snuff, in any enclosed city owned building. Similarly, it shall be unlawful for any person to use any inhalant delivery system, in any enclosed city owned building.
- 2) It shall be unlawful for any person to use any tobacco product, including a lit cigarette, cigar, pipe or other lighted smoking material or equipment, chewing tobacco, "dip" or snuff, in a city owned or leased vehicle. Similarly, it shall be unlawful for any person to use any inhalant delivery system in any city owned or leased vehicle.
- 3) Each employer in the city shall provide a smoke free and inhalant emission free environment for all employees working in all workspace, workspaces and workplaces as those terms are defined herein. Further, the employer and all employees shall prohibit any persons present in said workspace, workspaces and workplaces from smoking tobacco products or using inhalant delivery systems therein.
- 4) Smoking and use of inhalant delivery systems shall be prohibited in all workspace, workspaces, and workplaces in a workplace. This includes all common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, hallways, medical facilities, cafeterias, employee lounges, staircases, restrooms, and all other enclosed areas in the workplace.
- 5) Smoking and the use of inhalant delivery systems shall be prohibited in all enclosed public places (as defined in these regulations) within the city, including but not limited to, the following places:
 - a) Galleries, libraries, and museums;
 - b) Areas available to and customarily used by the general public in businesses and nonprofit entities patronized by the public, including but not limited to, professional offices, banks, laundromats, hotels, and motels;
 - c) Bars;
 - d) Bingo facilities;
 - e) Convention facilities, conference centers, and exhibition halls;
 - f) Educational facilities, both public and private;
 - g) Elevators;
 - h) Health care facilities;
 - i) Hotel and motel lobbies;
 - j) Childcare and adult day care facilities;
 - k) Lobbies, hallways, and other common areas in apartment buildings, condominiums, trailer and mobile home parks, retirement facilities, nursing homes, and other multiple-unit residential facilities;
 - l) Polling places;
 - m) Private clubs when being used for functions to which the general public is invited;

-
- n) **Public transportation facilities, including buses and taxicabs, and ticket, boarding, and waiting areas of public transit depots;**
 - o) **Restaurants;**
 - p) **Restrooms, lobbies, reception areas, hallways, and other common-use areas;**
 - q) **Retail stores;**
 - r) **Rooms, chambers, places of meeting or public assembly, including those located at school buildings;**
 - s) **Service lines;**
 - t) **Shopping malls;**
 - u) **Sports arenas; and,**
 - v) **Theaters, performance halls, lecture halls, and similar facilities, inclusive of lobbies, audience seating areas, dressing rooms, projections booths, back stage areas, and the stage, but excluding smoking or the use of inhalant delivery systems on stage when an integral part of the theatrical performance.**
- 6) **No person shall possess lighted smoking materials in any form, including, but not limited to, lighted cigarettes, cigars, pipes or other tobacco products, nor shall any person use an inhalant delivery system, at an entrance to or exit from a building where smoking and the use of inhalant delivery systems are prohibited.**

Specifically, smoking and the use of inhalant delivery systems are prohibited within a distance of ten feet from any entry into an enclosed area where smoking and inhalant delivery systems are prohibited, so as to ensure that emissions do not enter the area through entrances, windows, ventilation systems, or other means. Smoking and the use of inhalant delivery systems are also prohibited within ten feet of the boundary of the outdoor areas where they are prohibited. Persons who have begun smoking prior to approaching the ten-foot distance may continue doing so, provided they do not stop, stand, sit or linger within the ten-foot distance.

- 7) **Certain outdoor events, such as parades, festivals, and other public gatherings, result in nonsmokers finding themselves in close proximity to persons who are smoking or using inhalant delivery systems. This has the potential of burning those with whom they inadvertently come into direct contact and making the air quality and peaceful enjoyment of outdoor events unreasonably restricted for nonsmokers and or persons with breathing or other medical conditions. Accordingly, smoking and the use of inhalant delivery systems shall also be prohibited in certain outdoor areas when the use involves a gathering of the public, regardless of the number actually assembled for the event, performance, or competition. This prohibition shall apply to:**
- a. **Amphitheaters and outdoor performance locations;**
 - b. **Ballparks, stadiums, and other outdoor sports arenas when in use for athletic competitions or public performances;**
 - c. **Parades and special events on public streets and city property, although the City Administrator has the discretion, but not the obligation, to establish designated areas in or in proximity to the parade or event area or any other city property in which smoking and the use of inhalant delivery systems is allowed;**
 - d. **Dining areas on sidewalks, plazas, and parks and dining areas on sidewalks, plazas, decks, balconies, and patios of restaurants and bars; and,**
 - e. **Zoos open to the public.**

-
- 8) **Smoking and the use of inhalant delivery systems is prohibited in all city owned, leased, or controlled parks, playgrounds, ball fields, trails, and other outdoor recreation areas, except solely within limited areas designated and marked by the City Administrator or Director of Parks and Recreation specifically for the use of such products by persons of legal age to do so.**

Similarly, in order to eliminate the possibility of secondhand exposure to expectorated or other emitted or discarded tobacco products and materials, the use of all other tobacco products, including smokeless tobacco, is also prohibited in all city owned, leased, or controlled parks, playgrounds, ballfields, trails, and other outdoor recreation areas, except solely within limited areas designated and marked by the City Administrator or the Director of Parks and Recreation specifically for the use of such products by persons of legal age to do so.

Provisions for designated areas to be used for smoking, tobacco use, and the use of inhalant delivery systems may be revoked at any time at the discretion of the City Administrator, particularly if use of the areas is abused or if a problem arises with respect to the disposal of tobacco or inhalant delivery systems products.

(Ord. No. 06-0901, § 1(D), 10-9-2006)

Sec. 23-105. Smoking restrictions inapplicable.

In providing for the inapplicability of this section to the following subsections (1) through (7), it is specifically recognized that such locations are addressed in the Clean Indoor Air Act, enacted by the General Assembly of South Carolina and codified in South Carolina Code section 44-95-10, et seq., **with respect to smoking only. Therefore, to the extent smoking is already addressed by state or federal law, the instant regulations shall not apply to:**

- 1) Public schools and preschools where routine or regular kindergarten, elementary, or secondary educational classes are held including libraries;
- 2) All other indoor facilities providing children's services to the extent that smoking is prohibited in the facility by federal law and all other child day care facilities, as defined in [S.C. Code] 20-7-2700, which are licensed pursuant to Subarticle 11, Article 13, Chapter 7, of Title 20 of the South Carolina Code;
- 3) Health care facilities as defined in S.C. Code § 44-7-130;
- 4) Government buildings as defined in S. C. Code § 44-95-20(4), except to the extent regulation by the city is authorized therein;
- 5) Elevators;
- 6) Public transportation vehicles, except for taxicabs; **and,**
- 7) Arenas and auditoriums of public theaters or public performing art centers.

Section 23-105 is not intended to permit smoking in the listed areas; instead, it is only intended to recognize that state or federal statutes appear to regulate such activities in the listed locations. Attention is drawn to the state Indoor Clean Air Act by reference. If not regulated by state or federal statutes, the city's prohibition against the use of inhalant delivery systems may be enforced to the extent applicable to the listed locations.

(Ord. No. 06-0901, § 1(E), 10-9-2006)

Sec. 23-106. Exceptions.

- 1) Notwithstanding the provisions of section 23-104 herein, **smoking and the use of inhalant delivery systems** may be permitted in the following places and/or circumstances:
- 2) Private residences;
- 3) Retail tobacco stores as defined herein;
- 4) **Establishments** licensed, and holding a current liquor license from the State of South Carolina, known as bars, taverns, or pubs that do not serve sit-down meals **to clientele**;
- 5) Hotel, motel, inn, bed and breakfast and lodging home rooms that are rented to guests, designated as "smoking rooms" ("rooms") provided that the total percentage of such rooms does not exceed 25 percent in such establishment. A room so designated shall have signs posted indicating that smoking and the use of inhalant delivery systems is allowed therein; and,
- 6) Religious ceremonies where smoking **or legal inhalant use** is part of the ritual.

(Ord. No. 06-0901, § 1(F), 10-9-2006)

Sec. 23-107. Posting of signs.

The owner, manager or person in control of an establishment or area in which smoking **and the use of inhalant delivery systems** is prohibited pursuant to **these regulations** shall post a conspicuous sign at the main entrance to the establishment or area. The sign shall contain the words "No Smoking" and the universal symbol for no smoking. **The sign shall also indicate that the use of inhalant delivery systems is also prohibited.**

(Ord. No. 06-0901, § 1(G), 10-9-2006)

Sec. 23-108. Reasonable distance.

At places of employment, smoking and the use of inhalant delivery systems outside a workspace, workplace, or any other indoor area where prohibited shall be permitted, provided that **neither tobacco smoke nor inhalant emission enters the workplace, workspaces, or other indoor area through entrances, windows, ventilation systems or other means.**

(Ord. No. 06-0901, § 1(H), 10-9-2006)

Sec. 23-109. Jurisdiction, enforcement, and fines.

- 1) The municipal court of the City of Liberty shall have jurisdiction over **alleged** violations of the provisions of **these regulations**.
- 2) The police and fire departments shall enforce the provisions of this section. In addition, designated code enforcement employees of the city shall have the power to enforce the provisions of **these regulations**.
- 3) Any person who violates any provision of **these regulations shall be guilty of an infraction and subject to a civil fine of not less than \$10.00 or more than \$25.00.**
- 4) **Each violation of these regulations shall be considered a separate and distinct offense.**

(Ord. No. 06-0901, § 1(I), 10-9-2006)

Sec. 23-110. Severability.

If any provision, clause, sentence or paragraph of this article or the application thereof to any person or circumstances shall be held invalid, that invalidity shall not affect the other provisions of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this article are declared to be severable.

(Ord. No. 06-0901, § 1(J), 10-9-2006)

Sec. 23-111. Nonretaliation.

No person or employer shall discharge, refuse to hire, refuse to serve or in any manner retaliate or take any adverse personnel action against any employee, applicant, customer or person because such employee, applicant, customer or person takes any action in furtherance of the enforcement of this section or exercises any right conferred by this section.

(Ord. No. 06-0901, § 1(K), 10-9-2006)

Sec. 23-112. Conflict with other laws, ordinances or regulations.

Nothing in this section shall be deemed to amend or repeal any applicable fire, health or other law, ordinance or regulation so as to permit smoking **or the use of inhalant delivery systems** in areas where prohibited by applicable fire, health or other law, ordinance or regulation.

(Ord. No. 06-0901, § 1(L), 10-9-2006)

Sec. 23-113. Waivers.

- (1) Any employer, owner, manager or other person having control of a workplace subject to this section may apply to the City of Liberty's city clerk for a waiver of any provision of this regulation for a period not to exceed 90 days.
- (2) All waivers shall be submitted to City of Liberty's city clerk, on an application form provided by such director along with a \$100.00, nonrefundable filing fee.
- (3) The decision to grant such a waiver shall be in the sole discretion of Liberty's city clerk, and/or city council based upon their determination that such waiver is in the public interest. In determining, Liberty's city clerk and/or city council, may take into account, but is not limited to the following:
 - (a) The efforts that the employer, owner, manager or other person having control of a workplace has made toward compliance with this section;
 - (b) Whether or not the workplace will be in compliance with all terms of this section within 90 days; and,
 - (c) Whether or not the granting of the waiver will result in an appreciable danger to the health of the public.
- (4) No employer, owner, manager or other person having control of a workplace shall be granted more than one waiver.

(Ord. No. 06-0901, § 1(M), 10-9-2006)

Sec. 23-114. Declarations by Private Establishments

Even when not covered by these regulations, and notwithstanding any other provision herein, any owner, operator, manager, or other person in control of any privately-owned establishment, facility, or outdoor area may declare that establishment, facility, or outdoor area as a nonsmoking place wherein smoking and the use of inhalant delivery systems are prohibited, regardless of whether such location is open to the public or not.

Sec. 23-155. Effective Date

This article shall be effective immediately upon enactment.

STATE OF SOUTH CAROLINA	
COUNTY OF PICKENS	ORDINANCE NO.: 2024 - 06
CITY OF LIBERTY	

AN ORDINANCE UPDATING LIBERTY CITY CODE SECTION #2-41 IN ORDER TO PROVIDE MORE FLEXIBILITY AND EFFICIENCY IN THE SCHEDULING AND CONDUCT OF CITY COUNCIL MEETINGS.

WHEREAS, pursuant to the provisions of S.C. Code §30-4-80, South Carolina municipalities are required to prepare and make available an agenda for each regular meeting of their governing bodies; and,

WHEREAS, in accordance with §30-4-80, Liberty City Code #2-41(a) provides, "Matters to be considered by council at a regular meeting shall be placed on a written agenda prepared by the clerk, approved by the mayor."

WHEREAS, #2-41 continues, allowing for any additional matters for the agenda to be presented "no later than 4:30 on the Monday preceding the council meeting;" and,

WHEREAS, #2-41(b) sets a mandatory list of ten items that "shall be" addressed in each regular meeting:

- (1) Call to order.
- (2) Invocation.
- (3) Pledge.
- (4) Reading of the minutes of the meeting of the council, unless otherwise dispensed with by motion.
- (5) Requests and presentations from visitors.
- (6) Reports of committees.
- (7) Unfinished business, ordinances, resolutions, etc.
- (8) New business, ordinances, resolutions, etc.
- (9) Individual reports and recommendations of members.
- (10) Adjournment.

WHEREAS, including each of these items in every regular meeting can be time-consuming, duplicative, and often may unnecessarily extend the length of meetings; and,

WHEREAS, it appears necessary and appropriate to update Sec. #2-41 of the Liberty City Code in order to provide adequate time for the Mayor to consider and decide whether to add to the agenda matters presented by staff and Council members, to avoid unnecessarily long Council meetings, and to afford the Mayor and Council flexibility in determining the substance and effective conduct of each Council meeting; and,

NOW, THEREFORE, BE IT ORDAINED by the governing body of the City of Liberty, South Carolina, in Council duly assembled with a quorum present, as follows:

1. Liberty City Code #2-41(a) is amended and updated to read:

Matters to be considered by council at a regular meeting shall be listed on a written agenda prepared by the clerk, to be reviewed and approved by the mayor. Additional items desired for inclusion on the agenda shall be presented to the mayor no later than 4:30 p.m. on the Monday preceding the council meeting.

2. Liberty City Code #2-41(b) is deleted in its entirety.

IT IS SO ORDAINED.

SIGNED, SEALED, AND DELIVERED THIS _____ DAY OF _____ 2024.

CITY COUNCIL:

Erica Romo Woods, Mayor

ATTEST:

Bailee Locke, Clerk of Council

First reading:
Second reading:

STATE OF SOUTH CAROLINE
COUNTY OF PICKENS
CITY OF LIBERTY

ORDINANCE 2024-08

RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT

WHEREAS, the City of Liberty is a claimant agency as defined in the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the City of Liberty

AND WHEREAS, "delinquent debt" is defined in the Act to include "collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made;"

AND WHEREAS, the City of Liberty has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act;

AND WHEREAS, the Municipal Association of South Carolina, charges an administrative fee for the services it provides pursuant to the Act;

AND WHEREAS, the administrative fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the City of Liberty that arises through contract and is therefore properly considered as a part of the delinquent debt owed to the City of Liberty as that term is defined in the Act;

AND WHEREAS, the City of Liberty also incurs internal costs in preparing and transmitting information to the Municipal Association, which are also collection costs that are part of the delinquent debt owed to the City of Liberty.

AND WHEREAS, the City of Liberty may desire to recover its internal costs of collection by adding such costs to the delinquent debt.

NOW, THEREFORE, be it enacted by the Mayor and Council of the City of Liberty follows:

1. The City of Liberty may impose a collection cost of up to \$25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-5610 et. seq. This cost is hereby declared to be a collection cost that arises by operation of law and shall be added

to the delinquent debt and recovered from the debtor.

2. The City of Liberty hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the City, which shall also be added to the delinquent debt and recovered from the debtor.

3. All Ordinances in conflict with this Ordinance are hereby repealed.

4. This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

City of Liberty, Mayor Erica Romo Woods

Attest:

City of Liberty Clerk of Council, Bailee Locke

First Reading Approval: _____

Final Reading Approval: _____

PWD/Utility report for the month of July 2024

- Trash pick up
- Cardboard pick up
- Brush pick up
- Brown Goods pick up
- Water
- Locates
- Main breaks
- Meter replacements
- New taps
- Sewer
- Main breaks
- New taps

- Misc Items

tons	31
tons	4
loads	23
tons	6
	81
	3
	4
	2



Liberty Parks & Recreation

City Council Report

- 1) lighting at Mills Ave. is completed.
- 2) New Sponsorship banner (2)
- 3) Maintain all Parks and Recreation grounds and facilities.
- 4) Rental of city stadium for this month (0)
- 5) Rental of Rosewood center / parking lot Animal Vet 2 times per month.
- 6) Rental of Mills Ave (0)
- 7) Rental of City Gym (0)
- 8) Tee Ball, Softball and Baseball fall registration 79 total athletes
- 9) Tackle and Flag football fall registration 93 total athletes
- 10) Volleyball Fall registration 27 total athletes
- 11) Cheerleading fall registration 74 total athletes
- 12) Cheerleading camps LHS and City gym
- 13) Help host library STEM camp, also use the gym every Monday for reading program
- 14) Freedom Park new mulch around the playground and on the playground
- 15) Liberty elementary utilize the gym for meet and greet parents
- 16) New sticker logos placed at city gym, city stadium and little league park
- 17) Fall Tackle football will begin 8/19/2024, Fall Flag will begin 8/26/2024
- 18) Cheerleading showcase dates are Sept. 21st, Sept. 28th, Oct. 5th and Oct. 12th

LIBERTY POLICE DEPARTMENT

Adam C. Gilstrap
Chief of Police
agilstrap@libertypd.org

P.O. Box 716
147b Kay Holcombe Road
Liberty, SC 29657
Phone (864) 843-3956

Victor C. Tetter
Captain
vtetter@libertypd.org

Monthly Totals July 2024

Warnings Issued- 126

Citations Issued- 114

Total Arrested- 19

One for Fail to Stop for Blue Lights, Resisting Arrest, DUI, Minor in Poss. Beer, No SCDL and Open Container

One for Possession with Intent to Distribute Meth, Possession Controlled Substance, Expired Tag, Drug Paraphernalia and Simple Poss. Marijuana

One for DUS, No SCDL in Possession, Disorderly Conduct and Resisting Arrest

One for Possession of Meth, Drug Paraphernalia and No Tag Lights

One for Possession with Intent to Distribute Cocaine, Possession of Adulterants, Transporting Liquor with Broken Seal, Simple Possession Marijuana and Defective Tag Light

One for Possession with Intent to Distribute Cocaine

One for Domestic Violence 1st Degree and Fail to Stop for Blue Lights

One for Domestic Violence 3rd Degree

One for Possession Stolen Vehicle

One for Possession Controlled Substance, Fail to Stop for Blue Lights 2nd, Resisting Arrest, DUS, Defective Tag Light and Obstructed Tag

One for Fail to Stop for Blue Lights, DUS and Reckless Driving

One for Trafficking Meth, Possession of Controlled Substance x2 and Simple Poss. Marijuana

One for DUS 3rd, Habitual Offender, Fail to Stop for Blue Lights, Possession Controlled Substance, Possession of Cocaine, Trafficking Meth, Receiving Stolen Goods, Possession of Weapon during Commission of Violent Crime, Improper Turn Signal, Littering and Simple Poss. Marijuana

Three for Disorderly Conduct

One for Disorderly Conduct and Drug Paraphernalia

Two for DUS

Citations See attached.

TRAFFIC TICKET TOTALS
All Tickets (Including DUI)

From Date of Arrest 07/01/2024 To 07/31/2024

08/05/2024

All Records

Page: 1

Total for Offense : 35

01 SEATBELT VIOLATION

Total for Offense 01: 35

02 POSSESSION OF DRUG PARAPHERNALIA

Total for Offense 02: 5

08 UNLAWFUL USE OF COMMUNICATION DEVICE

Total for Offense 08: 1

21 SPEEDING OR TOO FAST FOR CONDITIONS (<= 10MPH)

Total for Offense 21: 1

42 DISREGARD SIGN SIG

Total for Offense 42: 1

4A NO SIGNAL / IMPROPER SIGNAL

Total for Offense 4A: 1

4X SPEEDING MORE THAN 10--

Total for Offense 4X: 1

4Y SPEEDING MORE THAN 15--

Total for Offense 4Y: 11

61 RECKLESS DRIVING

Total for Offense 61: 2

64 SPEEDING OR TOO FAST FOR COND (>= 25 MPH)

Total for Offense 64: 1

36 DISORDERLY CONDUCT

TRAFFIC TICKET TOTALS
All Tickets (Including DUI)

From Date of Arrest 07/01/2024 To 07/31/2024
08/05/2024

All Records

Page: 2

Total for Offense 86: 3

87 DRIVER LICENSE VIOLATION

Total for Offense 87: 6

89 VEHICLE LICENSE VIOLATION

Total for Offense 89: 2

96 DRIVING UNDER SUSPENSION

Total for Offense 96: 6

NT NON-TRAFFIC OFFENSES

Total for Offense NT: 3

Total for Report: 114

LIBERTY POLICE DEPARTMENT

Adam C. Gilstrap
Chief of Police
agilstrap@libertypd.org

P.O. Box 716
147b Kay Holcombe Road
Liberty, SC 29657
Phone (864) 843-3956

Victor C. Tetter
Captain
vtetter@libertypd.org

Monthly Totals June 2024

Warnings Issued- 141

Citations Issued- 125

Total Arrested- 19

One for CSC W/Minor 2n Degree

One for Possession with Intent to Distribute Meth, Defective Brake Lights, Possession More than 1 DL and Simple Poss. Marijuana

One for Possession with Intent to Distribute Meth

One for Fail to Stop for Blue Lights, Resisting Arrest, Habitual Offender, DUS 3rd, Improper Lane Use and Obstructed View

Three for Disorderly Conduct

One for Possession Meth 2nd, No Proof Insurance, Operating Uninsured, No Tag Light and Defective Taillight

One for Possession of Meth 1st and Simple Possession Marijuana

One for Possession of Meth 1st and Open Container of Beer

One for Reckless Driving

One for Possession of Psilocybin Mushrooms and Simple Possession Marijuana

One for Possession of Psilocybin Mushrooms, Obstructed Tag and Simple Possession Marijuana

One for Obstructed View, Fail to Stop for Blue Lights and Possession of Adulterants

One for Simple Possession Marijuana, Unsecured Load and Disregarding Stop Sign

One for Obstructed View and Broken Seal

One for Left of Center and Public Disorderly Conduct

One for Reckless Driving and No SCDL

One for Possession with Intent to Distribute Marijuana

Citations

See attached.

TRAFFIC TICKET TOTALS
All Tickets (Including DUI)

From Date of Arrest 06/01/2024 To 06/30/2024

08/05/2024

All Records

Page: 1

Total for Offense : 50

01 SEATBELT VIOLATION

Total for Offense 01: 35

08 UNLAWFUL USE OF COMMUNICATION DEVICE

Total for Offense 08: 1

20 TOO FAST FOR CONDITIONS

Total for Offense 20: 1

21 SPEEDING OR TOO FAST FOR CONDITIONS (<= 10MPH)

Total for Offense 21: 2

47 TURNING UNLAWFULLY

Total for Offense 47: 1

4X SPEEDING MORE THAN 10--

Total for Offense 4X: 2

4Y SPEEDING MORE THAN 15--

Total for Offense 4Y: 15

61 RECKLESS DRIVING

Total for Offense 61: 1

64 SPEEDING OR TOO FAST FOR COND (>= 25 MPH)

Total for Offense 64: 1

82 OTHER MOVING VIOLATION

Total for Offense 82: 1

86 DISORDERLY CONDUCT

TRAFFIC TICKET TOTALS
All Tickets (Including DUI)

From Date of Arrest 06/01/2024 To 06/30/2024

08/05/2024

All Records

Page: 2

Total for Offense 86: 2

87 DRIVER LICENSE VIOLATION

Total for Offense 87: 1

89 VEHICLE LICENSE VIOLATION

Total for Offense 89: 3

94 OTHER VIOLATIONS

Total for Offense 94: 1

96 DRIVING UNDER SUSPENSION

Total for Offense 96: 2

NT NON-TRAFFIC OFFENSES

Total for Offense NT: 6

Total for Report: 125