

Chapter 12

OFFENSES AND MISCELLANEOUS PROVISIONS*

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*Cross references—General penalty, § 1-10; municipal court generally, Ch. 10.

State law references—Law Abiding Citizens Self-Defense Act of 1996, S.C. Code 1976 § 23-31-205 et seq.; local governments prohibited from regulation of firearm transfer, possession, carrying, or transportation, S.C. Code 1976 § 23-31-510; local government may regulate careless or negligent discharge, or public brandishing, firearms, S.C. Code 1976, § 23-31-520.

Sec. 12-1. Adoption of criminal law of State of South Carolina.

All acts and conduct that constitute violations of the common law and the statutory laws of the state are hereby declared unlawful when such violations occur and punishment is within the jurisdiction of the town.

(Code 1979, § 11-802)

Sec. 12-2. Interference with streets, sidewalks, etc.

It shall be unlawful for any person to close up or in any manner interfere with the free use of any public street or thoroughfare, sidewalk, or alley without the previous written consent of the town council.

(Code 1979, § 11-316)

Cross reference—Streets and sidewalks generally, Ch. 15.

Sec. 12-3. Discharge of dangerous devices.

(a) It shall be unlawful to fire or discharge any air rifle, slingshot, or other device which may be potentially harmful to any persons or property.

(b) It shall be unlawful for any person to discharge a firearm of any type within the town limits. Nothing contained in this section shall be construed to abridge the right of self-defense or a law enforcement officer's performance of duty.

(Code 1979, § 11-409; Ord. of 1-12-87(2))

Sec. 12-4. Carrying of weapons.

It shall be unlawful for any person to carry about the person, whether concealed or not, any dirk, slingshot, metal knuckles, razor, or other weapon usually used for the infliction of personal injury. This section shall not apply to peace officers while in the discharge of their duties.

(Code 1979, § 11-403)

Sec. 12-5. Assault and battery.

It shall be unlawful for any person to commit an assault or battery upon any other person.

(Code 1979, § 11-701)

Sec. 12-6. Drinking alcoholic beverages on public property.

It shall be unlawful for any person within the municipality to consume any alcoholic liquors, beer, ale, porter, wine, or any other similar malt or fermented beverage on the street, sidewalks, or any other property in which the municipality has an interest. Possession of any open can, bottle, or other container with alcoholic liquors, beer, ale, porter, wine, or any other similar malt fermented beverage therein on aforesaid property shall constitute prima facie evidence of a violation of this section.

(Code 1979, § 11-102.5)

Sec. 12-7. Alders or abettors.

It shall be unlawful for any person to counsel, advise, incite, abet, procure, or aid any other person in the violation of any of the provisions of the Code.

(Code 1979, § 11-411)

Sec. 12-8. Advertisements.

(a) *Posting on public property.* It shall be unlawful to place any advertisement, business, political, or otherwise; or any notice or sign of any nature on public property within the municipality, by the use of a placard, picture, paper, circular, printing, or by any means or device whatsoever.

(b) *Posting property in which municipality has interest or regulatory power:* It shall be unlawful to place any such advertisement, notice, or sign of any nature on property in which the municipality has an interest or the right to regulate, such as telephone poles, telegraph poles, electric poles or towers, and the like thereof

(c) *Posting on private property.* It shall be unlawful to place any such advertisement, notice or sign of any nature on private property, without written consent of the owner or lessee of the property.

(Code 1979, §§ 8-101-8-103)

Sec. 12-9. Municipal uniform ordinance summons.

The town adopts S.C. Code § 56-7-80, the municipal uniform ordinance summons, to provide a penalty for failure to appear in court after a summons has been issued.

(Ord. of 11-9-92)

Sec. 12-10. Body piercing regulations.

For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them hereafter:

Body piercing means any piercing of any part of the human anatomy with any instrument whatsoever to provide a channel in which jewelry or other adornments may be worn.

Body piercing vendor means any person, firm, corporation or other entity which sells or offers to sell body piercing services to the general public, including any and all employees, agents, representatives and independent contractors of a firm, corporation or other entity.

Customer means any person entering upon the business premises of and engaging in discussion with a body piercing vendor for the purposes of inquiring about body piercing services offered for sale, and for negotiating the purchase of these services.

Jewelry means any jewelry, ornaments, chains, studs, and any other adornments which are used or intended to be used to be worn in a channel pierced in the human anatomy.

(Ord. No. 7-99B1³, 7-12-99)

Sec. 12-11. Unlawful to perform body piercing on minors without parental consent.

It shall be unlawful to perform body piercing on any person under the age of 18 unless that person's parent or legal guardian accompanies that person to the body piercing business and provides written consent.

(Ord. No. 7-99BP, 742-99)

Sec. 12-12. Verification that the customer on whom the body piercing is performed is 18 years of age or older or has the written consent of a parent or guardian.

The body piercing vendor shall, prior to performing any body piercing, make sure that the customer to be pierced is 18 years of age or older or has the consent of a parent or legal guardian to be pierced. If the customer is less than 18 years of age, they must bring a parent or legal guardian to the premises and the parent or legal guardian must sign a consent form giving their permission for the piercing of the customer.

In the event that the customer is 18 years of age or older, the body piercing vendor shall assure him or herself of the age of the customer by viewing two forms of identification, one of which shall be a picture form of identification.

The types of identification accepted shall be legal forms of identification such as a birth certificate, driver's license, state identification card or military identification card. The vendor shall make a written record of all of the pertinent information on these two forms of identification and shall maintain this written record for inspection by competent authorities for the period of three years from the date the service is rendered.

(Ord. No. 7-99BP, 7-12-99)

Sec. 12-13. Written statement of cost and the written name and signature of the person performing the piercing required.

No body piercing vendor shall commence any body piercing for a customer without first furnishing to the customer a written statement showing the final cost of the body piercing as well as the cost of any jewelry inserted or intended to be inserted. It shall also contain the signature and written name of the person performing the piercing and the written name and signature of the parent or legal guardian.

No part of this section may be waived.

(Ord. No. 7-99BP, 7-12-99)

Sec. 12-14. Signage required.

A body piercing vendor shall conspicuously post at all entrances to its premises and above the location within the business where body piercing is performed, on a sign not less than 18 inches in height and 24 inches in width, as approved by the chief of police, the following notice:

"City Code section 12-11 and 12-13 requires that a written statement of total cost be furnished to the customer prior to the commencement of body piercing and that the customer being pierced be at least eighteen (18) years of age or have the written consent of a parent or legal guardian."

(Ord. No. 7-99BP, 7-12-99)

Sec. 12-15. Tobacco use prohibited in outdoor recreation areas and town buildings.

The use of all tobacco products is prohibited in all outdoor recreation areas and in all buildings that are owned or controlled by the town. The director of parks and recreation for the town may designate a tobacco use area at outdoor recreation facilities. Any person that violates this section will be guilty of a misdemeanor and is punishable by a fine of not more than \$500.00 or imprisonment for not more than 30 days.

(Ord. No. 10-01TF, 11-12-01)

Editor's note—Ord. No. 10-01TF, adopted Nov. 12, 2001, did not specifically amend the Code. Hence, its inclusion herein as § 12-15 was at the discretion of the editor.

Sec. 12-16. Operating hours for businesses with on-premises consumption of alcoholic beverages.

Commercial establishments, which allow for the on-premises consumption of beer, ale, porter, and/or wine shall be prohibited from operating between the hours of 2:00 a.m. and 6:00 a.m. on Mondays through Saturdays.

Beer, ale, porter and wine shall be defined for the purpose of this section as stated in S.C. Code 1976 § 61-4-10 as amended from time to time.

(Ord. No. 9-13-04 A, 2-14-05)