

**AGENDA
TOWN OF EDISTO BEACH
OCTOBER 8, 2015
REGULAR TOWN COUNCIL MEETING
6:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Minutes**
 - A. Public Hearing Meeting Minutes-September 10, 2015
 - B. Regular Council Meeting Minutes – September 10, 2015
- IV. Proclamations and Presentations**
 - A. Five year service award – Linda Hoff
- V. Old Business**
 - A. Department of Transportation Projects Update
 - B. Keep America Beautiful/Lowes Grant Update
- VI. New Business/Appearences**
 - A. Memorandum of Agreement between South Carolina Department of Transportation and the Town of Edisto Beach
 - B. Maintenance and Landscaping Agreement between the South Carolina Department of Transportation and the Town of Edisto Beach
 - C. Work Authorization No. 4 Amendment Jungle Shores Drive Waterline Extension
 - D. Work Authorization No. 5 American Engineering Wastewater Treatment Plant Evaluation and Preliminary Engineering Report
 - E. Standard and Poor’s Rating Services Edisto Beach, South Carolina; Water/Sewer
 - F. Holiday Schedule Revision
 - G. Agreement between Presbyterian Church and Town of Edisto Beach
 - H. Public Defender
 - I. Special Event Application-Fall Festival
 - J. Special Event Application-Trick or Treat at the Creek
 - K. First Reading of Ordinance 2015-25 Providing for the Implementation of the Provisions of the Fairness in Lodging Act
 - L. Civic Center Funding
 - M. Utilities Capital Improvement Plan
- VII. Committee Vacancies**
 - A. TIDE Committee – 2 vacancies
 - B. Beachfront Management Committee – 1 vacancy
- VIII. Planning Commission**
 - A. Wyndham Ocean Ridge Conference Center Use Modification
- IX. Departmental Reports and Committee Updates**
- X. Public Comment Period**
- XI. Adjournment**

AN ORDINANCE OF THE MAYOR AND
COUNCIL OF THE TOWN OF EDISTO BEACH,
SOUTH CAROLINA PROVIDING FOR THE
IMPLEMENTATION OF THE PROVISIONS OF
THE FAIRNESS IN LODGING ACT

WHEREAS, the Mayor and Town Council recognize that providing lodging accommodations for tourists is an important component of the local economy; and

WHEREAS, there may be instances where individuals who rent residential accommodations to tourists are failing to collect and remit the local accommodations tax imposed pursuant to Article 5 of Title 6 of the South Carolina Code of Laws and the state sales tax on accommodations imposed pursuant to Section 12-36-920 of the South Carolina Code of Laws; and

WHEREAS, those who fail to collect and remit local and state taxes on accommodations provided to transients are competing unfairly against those who dutifully meet these legal obligations; and

WHEREAS, the South Carolina General Assembly has enacted the Fairness in Lodging Act (the "Act"), providing municipalities and counties the option to exercise additional enforcement authority regarding the aforementioned taxes and to engage in active cooperation with the South Carolina Department of Revenue in data sharing for the purposes articulated in the Act; and

WHEREAS, the city/town has imposed the local accommodations tax provided pursuant to Article 5 of Title 6 of the South Carolina Code of Laws; and

WHEREAS, in order to avail itself of the authority provided in the Act, the governing body must by ordinance implement the provisions of the Act.

NOW, THEREFORE, BE IT ORDAINED THAT THE TOWN OF EDISTO BEACH DOES HEREBY:

1. Implement the provisions of the Act, as found in Article 7 of Title 6 of the South Carolina Code of Laws; and
2. Set, pursuant to the Act, a one-time civil penalty of [amount not less than five hundred nor more than two thousand] dollars for failure to collect and remit local accommodations tax for each seven days a single rental property was rented; and
3. Direct that a certified copy of this implementation ordinance be provided to the director of the South Carolina Department of Revenue.

This Ordinance shall be effective on the date of final reading

DONE AND RATIFIED IN COUNCIL, DULY ASSEMBLED, THIS ____ DAY OF _____, 20__.

_____, Mayor

ATTEST: _____, Clerk