

AN ORDINANCE NO. 428

TO SUSPEND THE APPLICATION OF SUNDAY WORK PROHIBITIONS PROVIDED IN CHAPTER 1 OF TITLE 53 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, FOR DECEMBER 23, 2001; TO PROVIDE THAT ANY EMPLOYEE OF A BUSINESS WHICH OPERATES ON SUNDAY, DECEMBER 23, 2001 HAS THE OPTION OF REFUSING TO WORK WHO IS CONSCIENTIOUSLY OPPOSED TO SUNDAY WORK; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

BE ORDAINED AND ENACTED BY THE COUNTY COUNCIL OF FAIRFIELD COUNTY, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

SECTION 1. Legislative Findings. As an incident to enactment of this ordinance, the County Council of Fairfield County, South Carolina, as the governing body of Fairfield County, South Carolina, has made the following legislative findings:

- (a) The Fairfield County Council is empowered under the provisions of South Carolina Code Ann. § 53-1-160 as amended to suspend the application of Sunday work prohibitions provided in Chapter 1 of Title 53 of the Code of Laws of South Carolina, 1976, as amended.
- (b) The Fairfield County Council has received a request from the Fairfield County Chamber of Commerce and other business-related entities to suspend the application of Sunday work prohibitions provided in Chapter 1 of Title 53 of the Code of Laws of South Carolina, 1976, as amended, for Sunday, December 23, 2001.

- (c) Council finds that Fairfield County businesses and merchants may be placed at a competitive disadvantage with businesses and merchants in other parts of this state or other contiguous states by the application of Sunday work prohibitions provided in Chapter 1 of Title 53 of the Code of Laws of South Carolina, 1976, as amended on Sunday, December 23, 2001.
- (d) Council finds that the State of South Carolina and Fairfield County would benefit through additional sales tax revenues from a suspension of the Sunday work prohibitions on December 23, 2001.
- (e) Council finds that no person should be required to work on Sunday, December 23, 2001, who is conscientiously opposed to Sunday work, and Council is authorized to require that any employee of a business which operates on Sunday, December 23, 2001, who is conscientiously opposed to Sunday work has the option to refuse to work in accordance with §§ 53-1-100 and 53-1-160 of the Code of Laws of South Carolina, 1976, as amended.

SECTION 2. Suspension of application of Sunday work

prohibitions adopted for December 23, 2001. Sunday work prohibitions provided in Chapter 1 of Title 53 of the Code of Laws of South Carolina, 1976, as amended, are hereby suspended for Sunday, December 23, 2001, in Fairfield County, as provided in South Carolina Code Ann. § 53-1-160 (1999 Cum. Supp.). The temporary suspension of Sunday work

prohibitions for December 23, 2001, shall not be interpreted or applied to suspend Sunday work prohibitions of Chapter 1 of Title 53 of the Code of Laws of South Carolina, 1976, as amended, on any other date or time or under any other circumstance. Further, this temporary suspension of Sunday work prohibitions shall not be interpreted or construed to allow the sale of alcoholic beverages of any type on December 23, 2001, the sale of which remains expressly prohibited.

SECTION 3. Conscientious Objectors Not Required to Work.

Notwithstanding any other provision of this ordinance, no employee of a business which operates on Sunday, December 23, 2001, under the provisions of this ordinance shall be required to work on Sunday, December 23, 2001, who is conscientiously opposed to Sunday work, and any employee of any such business which operates on Sunday, December 23, 2001, under the provisions of this ordinance has the option of refusing to work in accordance with the provisions of §§ 53-1-100 and 53-1-160 of the Code of Laws of South Carolina, 1976, as amended.

SECTION 4. Severability. The provisions of this ordinance are hereby declared to be severable, and if any provision or section of this ordinance is declared to be unconstitutional or unenforceable by the final order of a court of competent jurisdiction, such declaration shall not affect

the constitutionality, legality or enforceability of any other provision or section of this ordinance.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon adoption.

ADOPTED THIS 21st DAY OF DECEMBER, 2001.


Chairman

ATTEST:


Clerk of Council

First Reading: December 12, 2001
Second Reading: December 13, 2001
Third and Final Reading: December 21, 2001