



South Carolina Planning Education Advisory Committee (SCPEAC)

September 3, 2024

NOTICE OF DECISION

Title of Program: City of Goose Creek Planning Commission & BZA Training

Organization: City of Goose Creek

The following action has been taken by the SCPEAC on this application:

APPLICATION RECEIVED	Date: <u>September 3, 2024</u>
APPLICATION REVIEWED	Date: <u>September 3, 2024</u>
ACCEPTED WITHOUT OBJECTION	Date: N/A

- a) ACCREDITED for: 120 minutes CE credits: 2.0
- b) DENIED ACCREDITATION
- c) RETURNED for more information

If accredited:

- a) Authorized Course No.: 2024-07
- b) Date of accreditation: September 3, 2024

Certification Signature, MASC Administrative Representative: _____

L.P. Floyd

Certification Signature, SCPEAC Representative: _____

Stephanie Monroe Tilerson

**For further information, contact Urica Floyd at 803-354-4754
or the committee at SCPEAC@masc.sc.**



Application for Accreditation of a Continuing Education Program or as a Sponsor Organization

NOTE: This certification form, together with the required information referenced therein, shall be submitted to the South Carolina Planning Education Advisory Committee. Applications are due no later than 30 days prior to the first scheduled presentation of a program or class. Once submitted, if no objections are raised by a member of the SCPEAC within 10 business days of receipt, the program shall be considered accepted. If an objection is raised, a teleconference meeting shall be scheduled with appropriate public notice, as soon as reasonably possible, to review the application. The Committee will consider extenuating circumstances where the 30-day deadline cannot be met.

Reason for Application

Choose one:

Request as a Local Official for Continuing Education Program Approval Request as an Organization for Accreditation of a Continuing Education Training Request as an Organization to be an Approved Sponsor of Continuing Education Programs

Applicant Information

Applicants must meet the educational requirements of at least an undergrad degree, plus 5 years experience in the planning field.

Name

<input type="text"/>	<input type="text" value="Spencer"/>	<input type="text" value="Wetmore"/>	<input type="text"/>
Title	First	Last	Suffix

Municipality/County/Organization

Position

Phone

Email

If you are a COG Director, indicate which jurisdiction the certification is being requested for:

Applicant Resume/Vita

Spencer Wetmore Resume 2024.docx

Information About Organization Providing the Training

Organization Name

Organization Address

Address Line 1

Address Line 2

City

State

Zip Code

Organization Phone

Organization Website

Name of Training Contact

Title of Training Contact

Training Contact's Phone

Training Contact's Email

Training Program Information

Title of Planned Training or Program

Date of Training

Length of Training Session (i.e. 60 minutes, 90 minutes, 3-hours, etc.)

Training Location

Brief description of the Training or Program and its relevant content:

Method of presentation (in-person; virtual; or other):

In Person

When will materials be distributed (before or at the time of the program):

During

Description of materials to be distributed:

Copy of Ordinance & Procedures and email copy of slideshow after presentation

Method of Advertisement (Describe how you plan to notify local officials of the program):

Through city staff (required training)

Required Attachments

Brochure, if available:

Course Presenter(s) and credentials (include brief resumes and qualifications, combine into one .pdf document):

Copies of all handouts and course materials (combine into one .pdf document):

Goose Creek Training 2024.pptx

Evaluation Form and method of evaluation (each program must be evaluated, combine into one .pdf document):

Wetmore Law Training Evaluation.doc

Certification. By submitting this application, the applicant agrees to:

1. Allow in-person observation, without charge, of the Program by the SCPEAC Committee members. Any food, travel, or lodging costs will be the responsibility of the Committee member.
2. The applicant acknowledges that its approval for this Program may be withdrawn for violations of the regulations or failure to comply with the agreements and representations contained herein and as may be required by the SCPEAC.

**Spencer Wetmore
Wetmore Law Firm**

78 Ashley Point Drive, Suite 201, Charleston, SC 29407
spencer@wetmorelawfirm.com (843) 693-8292

EDUCATION

Vanderbilt University Law School, Nashville, TN

Doctor of Jurisprudence, May 2010

Honors and Activities: Honor Scholar; Dean's List Spring 2010; VANDERBILT JOURNAL OF ENTERTAINMENT AND TECHNOLOGY LAW, Senior Development Editor.

Princeton University, Princeton, NJ

Bachelor of Arts, Religion, 2005

WORK EXPERIENCE

Wetmore Law Firm, Charleston, SC. September 2020 to present.

Attorney & Founder: Civil practice with a focus on zoning and land use, regulatory, and probate law.

South Carolina House of Representatives, *District 115, Charleston County*. August 2020 to present.

Representative: Serving on the House Judiciary Committee.

City of Folly Beach, Folly Beach, SC. March 2014 – September 2020

City Administrator: Responsible for ordinances, resolutions, legislative affairs, strategic planning, budget, and supervision of City staff as directed by Mayor and Council.

Charleston County Solicitor's Office, Charleston, SC. November 2010 to March 2014.

Assistant Solicitor: Prosecuting violent crimes; manage caseload of three hundred warrants; work closely with defense attorneys, staff, and the court system.



WETMORE
LAW FIRM



CITY OF GOOSE CREEK

SEPTEMBER 17, 2024

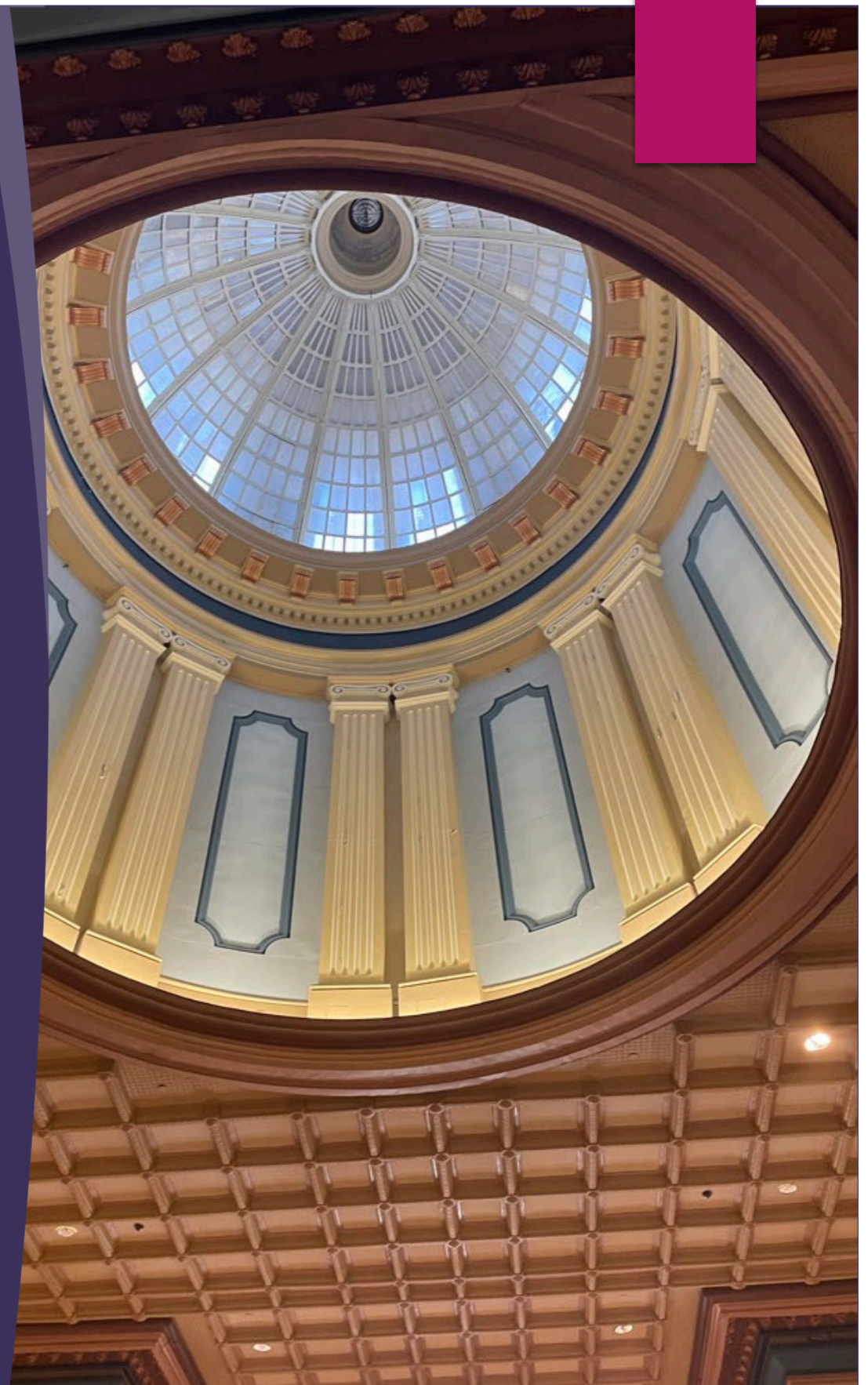
Tonight's Agenda

- ▶ Legal Framework:
 - ▶ State Law
 - ▶ Duties of Boards & Commissions
 - ▶ Meeting Procedures
 - ▶ Constitutional Limitations
 - ▶ Recent Court Cases
- ▶ Ethics Review



State Law

- ▶ All Local Planning/Zoning Authority Governed by State Statute: South Carolina Local Government Comprehensive Planning Enabling Act of 1994
- ▶ Planning Commission: 6-29-340
 - ▶ Comprehensive Plan 6-29-500
 - ▶ Zoning Ordinance: 6-29-700
- ▶ Board of Zoning Appeals 6-29-800
- ▶ Land Development Regulations: 6-29-1110
- ▶ Education Requirements: 6-29-1300
- ▶ Vested Rights: 6-29-1500



Purpose of Zoning:

SC Code
6-29- 710

(A) Zoning ordinances must be for the general purposes of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare. To these ends, zoning ordinances must be made with reasonable consideration of the following purposes, where applicable:

- (1) to provide for adequate light, air, and open space;
- (2) to prevent the overcrowding of land, to avoid undue concentration of population, and to lessen congestion in the streets;
- (3) to facilitate the creation of a convenient, attractive, and harmonious community;
- (4) to protect and preserve scenic, historic, or ecologically sensitive areas;
- (5) to regulate the density and distribution of populations and the uses of buildings, structures and land for trade, industry, residence, recreation, agriculture, forestry, conservation, airports and approaches thereto, water supply, sanitation, protection against floods, public activities, and other purposes;
- (6) to facilitate the adequate provision or availability of transportation, police and fire protection, water, sewage, schools, parks, and other recreational facilities, affordable housing, disaster evacuation, and other public services and requirements. "Other public requirements" which the local governing body intends to address by a particular ordinance or action must be specified in the preamble or some other part of the ordinance or action;
- (7) to secure safety from fire, flood, and other dangers; and
- (8) to further the public welfare in any other regard specified by a local governing body.

Zoning Tools from State Law

- (1) "cluster development" or the grouping of residential, commercial, or industrial uses within a subdivision or development site, permitting a reduction in the otherwise applicable lot size, while preserving substantial open space on the remainder of the parcel;
- (2) "floating zone" or a zone which is described in the text of a zoning ordinance but is unmapped. A property owner may petition for the zone to be applied to a particular parcel meeting the minimum zoning district area requirements of the zoning ordinance through legislative action;
- (3) "performance zoning" or zoning which specifies a minimum requirement or maximum limit on the effects of a land use rather than, or in addition to, specifying the use itself, simultaneously assuring compatibility with surrounding development and increasing a developer's flexibility;
- (4) "planned development district" or a development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A planned development district is established by rezoning prior to development and is characterized by a unified site design for a mixed use development;
- (5) "overlay zone" or a zone which imposes a set of requirements or relaxes a set of requirements imposed by the underlying zoning district when there is a special public interest in a particular geographic area that does not coincide with the underlying zone boundaries;
- (6) "conditional uses" or zoning ordinance provisions that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district. The conditions, restrictions, or limitations must be set forth in the text of the zoning ordinance; and
- (7) "priority investment zone" in which the governing authority adopts market-based incentives or relaxes or eliminates nonessential housing regulatory requirements, as these terms are defined in this chapter, to encourage private development in the priority investment zone. The governing authority also may provide that traditional neighborhood design and affordable housing, as these terms are defined in this chapter, must be permitted within the priority investment zone.

Spectrum of Allowable Uses

1

By Right: Owner could design within existing uses and dimension guidelines, apply for permit, City can't deny (office in commercial)

2

Conditional Use: Zoning ordinance sets out list of criteria for a particular use (lighting, hours of operation, etc); if applicant meets, staff gives approval (vets office in commercial)

3

Special Exception: Heightened community interest: Public Hearing before BZA (kennel in commercial)

Legal Limitations on Zoning Powers

Regulatory Takings: 5th Amendment “**private property [shall not] be taken for public use, without just compensation.**”

- Complete “Takings” under Lucas
- Partial Regulatory “Takings” (Penn Central, etc): Owner’s investment-backed expectations vs. character of governmental action

Other Constitutional Limitations:

- Equal Protection: May not treat two similarly-situated properties or landowners differently
- Substantive Due Process: Arbitrary and capricious action
- Procedural Due Process: Fair procedures (typically back to state law and local ordinances)
- Spot Zoning: Invalid rezoning of one parcel within a zoning district
 - Zoning should be connected to the Town’s Comprehensive Plan & must treat similar parcels similarly

Legal Limitations Continued

- ✿ Statutory Challenges: Compliance with State law
 - ✿ If City's decision is successfully appealed/overturned, City is subject to paying the legal costs
- ✿ Vested Rights
 - ✿ State law 6-29-1560 (which applies in absence of local ordinance): Right to develop for 2 years after requested rezoning, variance, conditions, special exception, or other affirmative government approval
 - ✿ Then 5 mandatory renewals unless the applicable ordinance has changed

Proactive Planning is Best Legal Protection

- ✿ Equal Protection: May not treat two similarly-situated properties or landowners differently
- ✿ Substantive Due Process: Arbitrary and capricious action
- ✿ Procedural Due Process: Fair procedures (typically back to state law and local ordinances)
- ✿ Spot Zoning: Invalid rezoning of one parcel within a zoning district
 - ✿ Zoning should be connected to the Town's Comprehensive Plan & must treat similar parcels similarly

Proactive planning is your magic weapon!

Freedom of Information Act (FOIA)

Meetings

- Pursuant to SC Code 30-4-60, agendas must be posted 24 hours prior to the meeting.
- A quorum of members may only conduct business at a properly-noticed meeting (no group emails or phone conferences)

Documents Are Public, Too

- Procedures for Providing FOIA Request Material -Pursuant to SC Code 30-4-30
- All documents relating to City business may be requested (subject to fees)
- Includes emails
- When emailing related to City business, recommend copying staff liaison so City has a record

Ex Parte Communications

- ▶ SC Code 1-23-360: members or employees of an agency "assigned to *render a decision or to make findings of fact and conclusions of law in a contested case* shall not communicate, directly or indirectly, in connection with any issue of fact, with any person or party, nor, in connection with any issue of law, with any party or its representative, except upon notice and opportunity for all parties to participate
- ▶ Applies when sitting in Quasi-Judicial Capacity (as a decision-maker in an appeal, land development, site-specific rezoning, etc)
- ▶ May not discuss material with “one side” without the “other side” present – this applies to staff, the applicant, etc



Evidence & Witnesses

- ▶ Chair may administer oath to witnesses
 - ▶ Added protection for the City
- ▶ Review evidence and witness list before start of hearing and identify any objections. Decide objections, stipulations, etc
- ▶ During the hearing, lay a foundation for the evidence (who, what, where, not altered) or Stipulate to admission
- ▶ Speak clearly and one at a time for the recording (and later possible transcript)



Planning Commission

City Ordinance: 2.2

- Seven members (4 for quorum)
- Public notice: newspaper, notice to parties, and sign posting (for Variance or Special Exception)
- Meeting by Applicant Order: Applicant, Staff and Public, Applicant Reply
- No cross-exams, but questions from PC permitted
- 5 Minutes unless PC consents
- An appeal to the BZA stays all other legal proceedings unless Stay would cause imminent peril to life and property

Planning Commission

Duties under SC Code 6-29-340 Recommending Body for:

- Comprehensive Plan: 10 elements including resilience!
- Zoning Ordinance & Map Amendments
- Planned Developments & Development Agreements (by ordinance)
- Enacting maps, plans, reports, and recommendations

Duties under SC Code 6-29-1110 Land Development Regulations Decisions and Appeals

- Major & Minor Subdivision and Land Development Regulations
- Hears appeals of Staff Decisions re Plats and Subdivisions
- Applications for Street Names (ordinance)
- Thereafter, appeals of Planning Commission Decisions are Filed in Circuit Court within 30 days

Planning Commission: Subdivision



SC Code 6-29-1150: 60 day time limit, but may be extended by mutual agreement; failure to act constitutes approval



Appeal from staff decision to PC; all appeals of PC taken to Circuit Court 30 days after actual notice



PUD Notes
SC Supreme Court
(Sinkler v Chas. Co.)

- ▶ Proper PUD must include a mix of uses.
- ▶ Innovative, diversified and unified design



Powers in State Law (6-29-800) almost identical to City Ordinance

- ✿ Appeal of Zoning Administrator's Decision
- ✿ Variance Requests
- ✿ Special Exception Requests (Outdoor Entertainment, Residential Care Facility, Cemetery in some districts)
- ✿ Board May Remand to Staff if Record is Insufficient

Board of Zoning Appeals

Board of Zoning Appeals

City Ordinance: 2.3

- Five members (3 for quorum)
- Public notice: newspaper, notice to parties, and sign posting (for Variance or Special Exception)
- Meeting Order (Procedures Art. IV): Chair Statement, Applicant present, Staff presentation; Opponent present; Applicant rebuttal; Unsworn public testimony
- An appeal to the BZA stays all other legal proceedings unless Stay would cause imminent peril to life and property

Board of Zoning
Appeals
Orders/Decisions

Motions to Approve, Modify
Disapprove Need Justification
Stated on the Record

Final Decisions / Orders Must
Include Findings of Facts and
Conclusions of Law (SC Code
6-29-800)

Appeals Must be Filed within
30 Days of the Mailing Date of
the Final Decisions (SC Code 6-
29-820)

Variance Test

City Ordinance 2.3(B)(2) provides 4 Factors to establish an Unnecessary Hardship:

- ▶ There are extraordinary and exceptional conditions pertaining to the particular piece of property
- ▶ Such conditions do not apply to other properties in the vicinity; and
- ▶ The application of the Ordinance on this particular piece of property would effectively prohibit or unreasonably restrict utilization of the property.
- ▶ Variance would not cause substantial detriment to adjacent property or the public good.

Additional Considerations

- Profitability is NOT a grounds for a variance.
- No “Use” variances are allowed
- The board MAY attach conditions to address location, character, or features of the building

Special Exception Test

- ▶ Special Exception. To permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in this Ordinance; and upon a finding that the following standards are met:
- ▶ (a) The proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety.
- ▶ (b) The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter.
- ▶ (c) The proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings.
- ▶ (d) The proposed special exception will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the public interest or conditions likely to result in increased law enforcement response.
- ▶ (e) The establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, which concentration may be detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed.
- ▶ (f) The proposed special exception is compatible with the general character and purpose of the district and location in which it is proposed.
- ▶ (g) The proposed special exception use will comply with all applicable standards for development (municipal, state, federal) as applicable.
- ▶ The Board may prescribe appropriate conditions and safeguards to promote public health, safety, or welfare

Dewberry v. City of Chas (Ct Appeals 2021): Upheld City requirement that accessory uses be reviewed by the BZA & that applicant should have known it had to apply; and that the BZA ruling was not arbitrary & capricious where some evidence in the record supports ruling

Rutter v. City of Columbia ((S.C. App. 2021): Upheld City's Architectural Review "Due process does not require local architectural boards or other similar boards to adopt the procedures used in circuit court. We have watched the video of Rutter's board hearing. It is evident Rutter received 'notice, an opportunity to be heard in a meaningful way, and judicial review.'..."

Recent SC Caselaw

Dortch v. City of Cola (SC Ct App 2022): Court upheld 12 month discontinuation of nonconforming use; affirming applicant's burden to establish variance;

Bradley v. Hilton Head (SC Ct App 2022): Court upheld BZA's denial of vested rights as to height because the applicant's site plan only specified horizontal dimensions (setbacks, etc)

CCSD v. Charleston Co (SC Ct App 2021): Upheld County's denial of appeal because application was submitted more than 30 days after administrative decision



Recent SC
Caselaw

Beachwalk Hotel v Town of Hilton Head (SC App 2023): Court upheld zoning administrator and BZA's decision because they hadn't "clearly erred" and decision wasn't "arbitrary and capricious" in using the 1987 master plan to calculate the density of a new welcome center in a PD.

Braden's Folly v. City of Folly Beach (SC 2023): Upheld City's merger ordinance with very detailed analysis of why it wasn't a Taking



Recent SC
Caselaw

Recent SC Caselaw

- ▶ Ani Creation (Rasta) v. City of Myrtle Beach BZA (SC 2023): Upheld City's overlay district (Ocean Blvd Entertainment) with purpose of fostering family tourism and identified vape shops as "repulsive" to families with negative aesthetics, property value impacts and gave businesses 3 months to change retail offerings
 - ▶ Consistent with Comp Plan's goal of family-friendly tourism; stated clear purpose in the ordinance; Kept records of complaints
 - ▶ Boundaries were not arbitrary and capricious: they are allowed to have a beginning and an end point
 - ▶ Exercise of police power: not A&C and reasonable relationship to lawful purpose; class rests on reasonable basis; all members of class treated equally
 - ▶ There were other locations for vape shops (reasonable time, place, and manner restriction)
 - ▶ Not a taking: still have economic impact and no quantified economic loss for Penn Central test

Road, LLC v. Beaufort Cnty (Sup Ct 2024): Supreme Court ultimately sided with Beaufort County, but seems inclined to hold local government to a high standard when they begin purchasing property or acting as a party to contracts. Use extra care.

Abdo v. Charleston BZA (Ct App 2023): Standard of Review: Deference to finding of facts by the Board; Error of law for the interpretation of the ordinance

Recent SC
Caselaw



**“What conflict of interest?!
I work here in my spare time.”**

**SC Ethics Act:
Don't Get Caught
Up In
Conflict &
Economic Interest**

Conflict of Interest Definitions

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(11)(a) **"Economic interest"** means an **interest distinct from that of the general public** in a purchase, sale, lease, contract, option, or other transaction or arrangement involving property or services in which a public official, public member, or public employee may gain an economic benefit of **fifty dollars** or more.

(b) This definition **does not prohibit** a public official, public member, or public employee from participating in, voting on, or influencing or attempting to influence an official decision if the only economic interest or **reasonably foreseeable benefit** that may accrue to the public official, public member, or public employee is incidental to the public official's, public member's, or public employee's position or which accrues to the public official, public member, or public employee **as a member of a profession, occupation, or large class to no greater extent than the economic interest or potential benefit could reasonably be foreseen to accrue to all other members of the profession, occupation, or large class.**

(15) **"Family member"** spouse, parent, brother, sister, child, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandparent, or grandchild;

(4) **"Business with which he is associated"** means a business of which the **person or a member of his immediate family** is a director, an officer, owner, employee, a compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

(21) **"Individual with whom he is associated"** means an **individual with whom the person or a member of his immediate family mutually has an interest in any business** of which the person or a member of his immediate family is a director, officer, owner, employee, compensated agent, or holder of stock worth one hundred thousand dollars or more at fair market value and which constitutes five percent or more of the total outstanding stock of any class.

Conflicts of Interest

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- ▶ **SECTION 8-13-700.** Use of official position or office for financial gain; disclosure of potential conflict of interest.

(A) No public official, public member, or public employee may knowingly use his official office, membership, or employment to obtain an **economic interest for himself, a family member, an individual with whom he is associated, or a business with which he is associated**. This prohibition does not extend to the incidental use of public materials, personnel, or equipment, subject to or available for a public official's, public member's, or public employee's use that does not result in additional public expense.

(B) No public official, public member, or public employee **may make, participate in making, or in any way attempt to use his office, membership, or employment to influence a governmental decision in which he, a family member, an individual with whom he is associated, or a business with which he is associated has an economic interest**. A public official, public member, or public employee who, in the discharge of his official responsibilities, is required to take an action or make a decision which affects an economic interest of himself, a family member, an individual with whom he is associated, or a business with which he is associated shall [recuse him/herself].

Thing of Value for Influence

SECTION 8-13-705

(A) A **person may not, directly or indirectly, give, offer, or promise anything of value** to a public official, public member, or public employee with the intent to:

- (1) **influence the discharge** of a public official's, public member's, or public employee's official responsibilities;
- (2) influence a public official, public member, or public employee to commit, aid in committing, collude in, or allow **fraud** on a governmental entity; or
- (3) induce a public official, public member, or public employee **to perform or fail to perform an act** in violation of the public official's, public member's, or public employee's official responsibilities.

(B) A **public official**, public member, or public employee may not, directly or indirectly, knowingly ask, **demand**, exact, solicit, seek, accept, assign, receive, or **agree to receive** anything of value for himself **or for another person** in return for being:

- (1) influenced in the discharge of his official responsibilities;
- (2) influenced to commit, aid in committing, collude in, allow fraud, or make an opportunity for the commission of fraud on a governmental entity; or
- (3) induced to perform or fail to perform an act in violation of his official responsibilities.

Value Definitions

(1)(a) **"Anything of value"** or "thing of value" means: **Anything over \$10** (loan, gift, forgiveness of debt, car, real estate, or job)

- ▶ **Does not include** items offered to the general public on the same terms and conditions without regard to status as a public official or public employee;

(25) **"Public employee"** means a person employed by the State, a county, a municipality, or a political subdivision thereof.

(26) **"Public member"** means an individual appointed to a noncompensated part-time position on a board, commission, or council. A public member does not lose this status by receiving reimbursement of expenses or a per diem payment for services.

(27) **"Public official"** means an elected or appointed official of the State, a county, a municipality, or a political subdivision thereof, including candidates for the office.

Representation Before a Board

- ▶ **SECTION 8-13-740.**

(A)(1) A public official occupying statewide office, a member of his *immediate* family, an individual with whom he is associated, or a business with which he is associated may not knowingly represent another person before a governmental entity, except as otherwise required by law.

(5) A public official, public member, or public employee of a municipality may not knowingly represent a person before any agency, unit, or subunit of that municipality for which the public official, public member, or public employee has official responsibility except as required by law.

- ▶ **UNLESS** the service on the board is **statutory**

<https://ethics.sc.gov/sites/ethics/files/Documents/Advisory%20Opinions/Advisory%20Opinion%20Topics/1992/AO92119N.NEW.pdf>

- ▶ Must recuse himself in writing
- ▶ May appear or member of firm may appear before board

Confidential Information



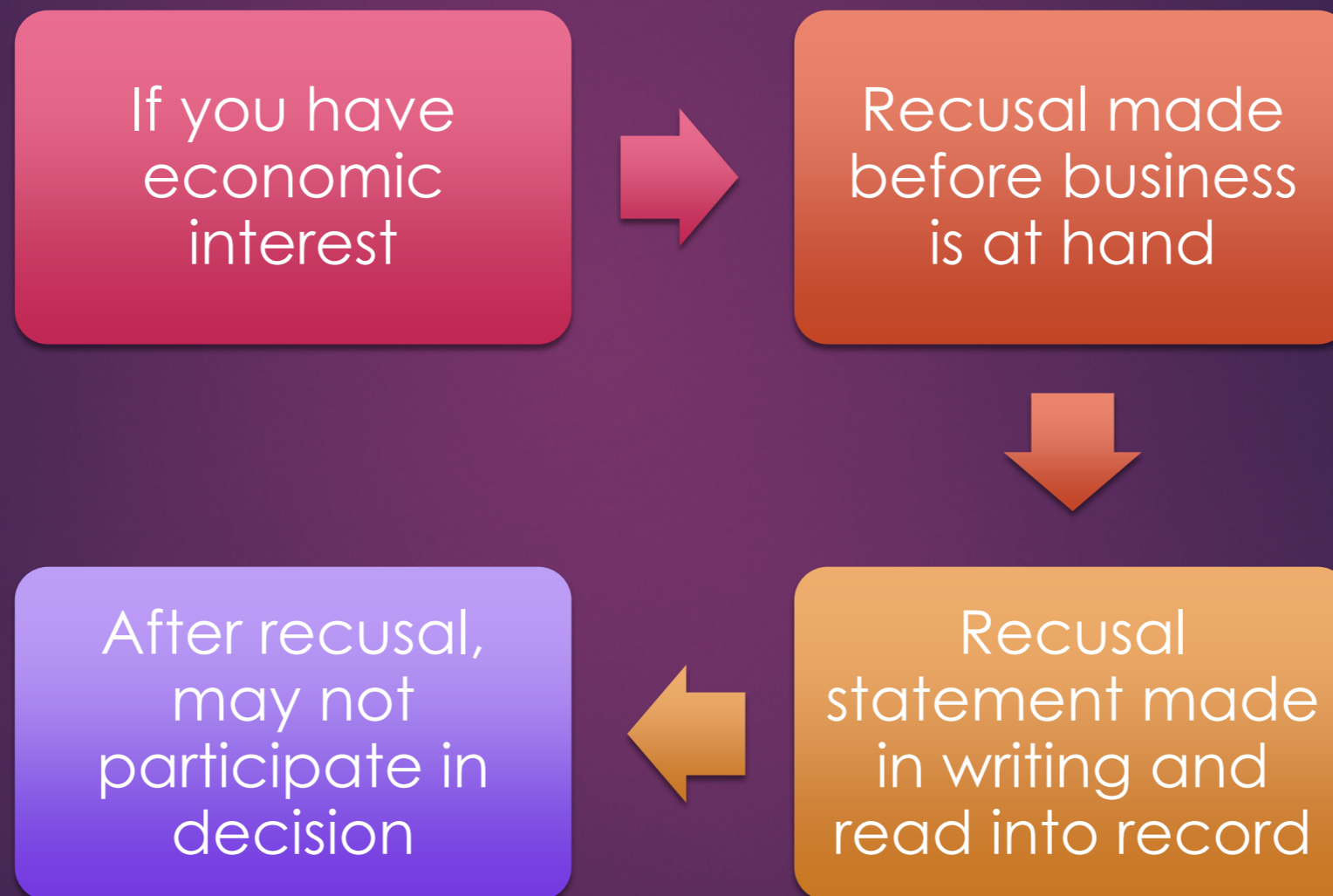
▶ **SECTION 8-13-725.**


(A) A public official, public member, or public employee may not **use or disclose confidential information** gained in the course of or by reason of his official responsibilities in a way that **would affect an economic interest held by him, a member of his immediate family**, an individual with whom he is associated, or a business with which he is associated. ("Immediate family": child, spouse, dependent on tax returns)

(B)(1) A public official, public member, or public employee **may not wilfully examine**, or aid and abet in the wilful examination of, a tax return of a taxpayer, a worker's compensation record, a record in connection with health or medical treatment, social services records, or other records of an individual in the possession of or within the access of a public department or agency **if the purpose of the examination is improper or unlawful.**

(2) A person convicted of violating this subsection must be fined not more than **five thousand dollars**, or **imprisoned not more than five years**, or both, and shall reimburse the costs of prosecution. Upon conviction, the person also must be discharged immediately from his public capacity as an official, member, or employee.

SC Ethics Act: Don't Get Caught Up In Conflict & Economic Interest





“Democracy is the art and science of running the circus from the monkey cage”

–H. L. Mencken



Any
Questions?