

STATE OF SOUTH CAROLINA)

ORDINANCE 2024-04

CITY OF CAYCE)

AN ORDINANCE TO AMEND THE CITY
CODE OF ORDINANCES TO ADD
SECTION 28-27 ENTITLED "HATE
INTIMIDATION"

WHEREAS, the residents and visitors of the City of Cayce are a diverse collection of individuals representing a multitude of races, colors, creeds, religions, ancestries, sexual orientations, genders, gender identities, physical and mental disabilities, and national origins; and

WHEREAS, the City of Cayce values and wishes to protect its residents and visitors irrespective of their race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin; and

WHEREAS, crimes that are motivated by bias or hate towards any person or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of any person are an affront to the commonly held values of the citizens of the City; and

WHEREAS, the State of South Carolina has yet to adopt a statewide Hate Crime Legislation, and is only one of two states in the United States who have yet to adopt such protections for its citizens and visitors; and

WHEREAS, the City of Cayce also desires to enact a new section of its Code of Ordinances in order to protect its residents and visitors and deter crimes motivated by bias or hate towards any persons or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of any person, and provide separate appropriate penalties in addition to the punishment for the underlying violation of the ordinances of the City; and

WHEREAS, the City Council has determined that it is in the interest of the City and the public, to enact a new Section 28-27 of the City Code of Ordinances entitled "Hate Intimidation";

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that the City of Cayce Code of Ordinances is hereby amended, in Article II ("Offenses against the Person") of Chapter 28 ("Offenses and Miscellaneous Provisions"), to add a new Section 28-27 ("Hate Intimidation") to read as follows:

Section 28-27.- Hate intimidation

(a) A person who violates another section of this chapter with the intent to intimidate another person or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, sexual orientation, gender, gender identity, physical or mental disability, or national origin of the other person or persons, including any act of antisemitism, is also guilty of the separate offense of hate intimidation and shall be punished as provided by subsection (c) of this section. For purposes of this section, "antisemitism" refers to the definition set forth by the International Holocaust Remembrance Alliance (IHRA).

(b) In addition, no person shall disseminate hate materials on any public property or on any commercial property or on any residential property without the express permission of the owner of the residential property within the incorporated area of the City of Cayce. For purposes of this section, "hate materials" refers to writings intended to intimidate another person or persons on a basis as described in subsection (a) of this section.

(c) A person who violates this section shall be punished as provided in Section 1-6 of the City Code. The sentences for the separate offenses shall run consecutive to one another unless the court specifies on the record the reason why they should run concurrently.

This Ordinance shall be effective from the date of second and final reading.

DONE IN MEETING DULY ASSEMBLED, this 15 day of May, 2024.



Elise Partin, Mayor

ATTEST:



Mendy C. Corder, Municipal Clerk

First reading: May 7, 2024

Second reading and adoption: May 15, 2024

Approved as to form: 

Danny C. Crowe, City Attorney