

STATE OF SOUTH CAROLINA)

COUNTY OF SPARTANBURG)

ORDINANCE NO:2024-0806-01

CITY OF WELLFORD)

.....

AN ORDINANCE ESTABLISHING PENALTIES FOR HATE CRIMES

WHEREAS, the State of South Carolina has yet to adopt a statewide Hate Crime statute; and the City of Wellford is responsible with protecting the health, safety, and welfare of our community and to enact ordinances of any nature that are not prohibited by law, or the Constitution of the United States as stated in 5-13-30 (9-10) of the South Carolina Code of Laws. The City of Wellford values the diversity of our community.

WHEREAS, the City of Wellford acknowledges it must protect its residents and visitors from intimidation, threats, crimes, hate, and towards a person because of their actual or perceived ethnicity, national origin, color, religion, sexual orientation, gender, gender identity, social identity and/or physical or mental disabilities. This ordinance is to help deter crimes motivated by bias or hate towards any person or persons.

(a) Any person(s) who violate(s) this ordinance with the intent to intimidate or harass a person(s) because of the actual or perceived race, ethnicity, national origin, color, religion, sexual orientation, gender, gender identity, social identity and/or physical or mental disabilities is guilty of a separate offense of hate crimes and shall be punished as provided in item (b) here within.

(b) Penalties. A violation of this section shall be a misdemeanor punishable by a fine of not more than \$500.00, and/or imprisonment for not more than thirty (30) days. The sentence imposed must be consecutive to the sentence for the underlying criminal offense unless the court articulates on the record the reasons why the sentences should run concurrently. Any sentence may be suspended on completion of appropriate education, counseling, or community service by the defendant as ordered by the court.

(c) Restitution. In addition to the penalties provided above, the Court may order restitution for any damages sustained by the victim of offenses directly related to the commission of the crime. This restitution may include but not limited to, medical bills, counseling or therapy, or any property damage that was sustained by the victim as a result of the criminal offense.

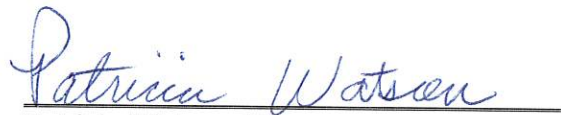
(d) In addition, no person(s) shall disseminate hate material on any public property or on any commercial property, or residential property without the permission of the owner of the residential property within the city limits of Wellford. "Hate material" is defined as content which advocates or promotes genocide or hatred against a group of people based on religion, race, gender, ethnicity, gender identity, sexual orientation, national origin, and/or any type of disability.

It is further ordained by the City Council of the City of Wellford that all Ordinances in conflict with this Ordinance are hereby repealed.

DONE AND RATIFIED in Council assembled on this 3rd day of September 2024.

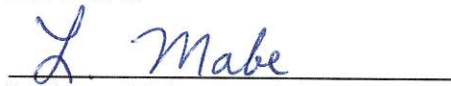
First Reading: August 6, 2024

Second and Final Reading: September 3, 2024

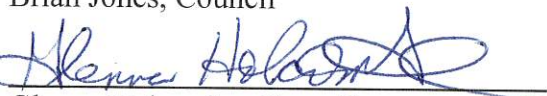


Patricia Watson, Mayor

ATTEST:



Ladeana Mabe, Municipal Clerk
City of Wellford, South Carolina

Brian Jones, Council


Glenna Holcombe, Council



Wymond Wilkins, Council



Paige Bain, Council