

AN ORDINANCE


TO AMEND ORDINANCE NUMBER 2006-91 BY ADDING TO THE SECTION ON SEVERABILITY A PROVISION ON RE-ENACTMENT OF PRIOR PROVISIONS OF LAW IF NECESSARY AND TO MODIFY PROVISIONS ON FINES TO BE THE SAME AS THOSE CONTAINED IN S.C. CODE §44-85-50.

WHEREAS, City Council adopted Ordinance Number 2006-91 on October 30, 2006, to address smoking in public places and included in the ordinance a section on severability in the event any portions thereof might ever be held invalid, as is customary in such an ordinance; and

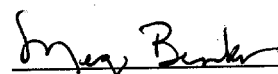
WHEREAS, Council now desires to make a technical addition to the Ordinance as a means of protecting the public's health as much as feasible and not as a concession to the merits of any challenges raised.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, that Section 18 of the Exhibit of Ordinance 2006-91 shall be amended by inserting at the end of the section a sentence which reads, "Should all or most provisions of this Ordinance applicable to locations not covered by city ordinance provisions in effect on October 30, 2006, be held invalid by a court of competent jurisdiction, then the smoking in public places ordinance provisions in effect prior to the adoption of Ordinance 2006-91 shall be re-enacted automatically without further action by Council, and they shall remain in effect until new ordinance provisions are upheld by a court of final jurisdiction or until amended by Council." Further, Section 13, "Violations and Penalties," on the same exhibit shall be amended to provide for a fine of "not less than ten dollars nor more than twenty five dollars" in both subsection (A) and subsection (B), and all inconsistent language on fines shall be deleted.

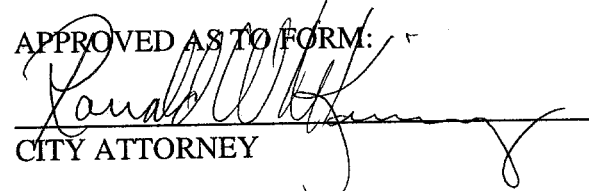
DONE, RATIFIED AND PASSED THIS THE 16TH DAY OF JANUARY, 2007.



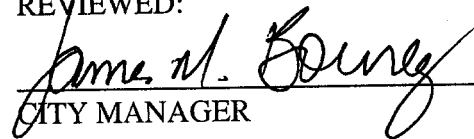
MAYOR

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

REVIEWED:


CITY MANAGER