CHAPTER 3

Regulation by Municipalities

**SECTION 45‑3‑10.** General authority to enact rules and regulations.

All towns and cities in this State may provide by ordinance such rules and regulations regarding the conduct and operation of hotels, restaurants, cafes and lunch counters therein as to provide for the public health, comfort and convenience. When such rules and regulations have been established by a city or town such city or town may provide by ordinance for the punishment of all offenders against such rules and regulations within the limits provided by law. But if there is a board of health in such town or city, its approval shall first be obtained before any such rules and regulations shall be established.

HISTORY: 1962 Code Section 35‑51; 1952 Code Section 35‑51; 1942 Code Section 7234; 1932 Code Section 7234; Civ. C. ‘22 Section 4389; 1917 (30) 46.

CROSS REFERENCES

Hotel and motel rooms and other accommodations to be furnished with certain security devices, see Section 45‑1‑90.

Municipal corporations, generally, see Section 5‑1‑10 et seq.

Powers of municipalities, generally, see SC Const. Art. VIII, Section 9.

Library References

Innkeepers 1.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 6.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 14, Statutory Provisions.

S.C. Jur. Hotels, Motels and Other Lodgings Section 24, Licenses.

United States Supreme Court Annotations

Regulation of hotel, motel, or similar lodging establishment as violating due process clause or equal protection clause of Federal Constitution—Supreme Court cases. 107 L Ed 2d 1151.

**SECTION 45‑3‑20.** Inspection; penalty for obstruction.

All such towns and cities may, by ordinance, provide for the inspection of all such places by some competent person appointed by the mayor or intendant and all persons conducting or operating such places shall at all times permit and allow inspections to be made of their premises by such inspectors. Any person who shall refuse to allow such inspection or who shall obstruct any officer whose duty it is to make such inspection shall be guilty of a misdemeanor and, upon conviction, shall be subject to such penalties as such towns or cities may impose by ordinance, not exceeding a fine of one hundred dollars or imprisonment for thirty days.

HISTORY: 1962 Code Section 35‑52; 1952 Code Section 35‑52; 1942 Code Section 7235; 1932 Code Section 7235; Civ. C. ‘22 Section 4390; Cr. C. ‘22 Section 298; 1917 (30) 46.

CROSS REFERENCES

Hotel and motel rooms and other accommodations to be furnished with certain security devices, see Section 45‑1‑90.

Municipal corporations, generally, see Section 5‑1‑10 et seq.

Powers of municipalities, generally, see SC Const. Art. VIII, Section 9.

Library References

Innkeepers 1.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Section 6.

RESEARCH REFERENCES

Encyclopedias

S.C. Jur. Hotels, Motels and Other Lodgings Section 25, Municipal Inspections.

S.C. Jur. Hotels, Motels and Other Lodgings Section 27, Municipal Offenses and Penalties.

**SECTION 45‑3‑30.** Denial or revocation of licenses.

Such towns and cities may deny or revoke any license granted to conduct any such business when, in the judgment of the mayor or intendant, such ordinances are not complied with.

HISTORY: 1962 Code Section 35‑53; 1952 Code Section 35‑53; 1942 Code Section 7236; 1932 Code Section 7236; Civ. C. ‘22 Section 4391; 1917 (30) 46.

CROSS REFERENCES

Hotel and motel rooms and other accommodations to be furnished with certain security devices, see Section 45‑1‑90.

Municipal corporations, generally, see Section 5‑1‑10 et seq.

Powers of municipalities, generally, see SC Const. Art. VIII, Section 9.

Library References

Innkeepers 4.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Sections 14 to 16.

**SECTION 45‑3‑40.** Persons disobeying ordinances subject to penalties.

All persons shall carry out and obey all ordinances passed or enacted by any town or city under the provisions of this chapter and upon neglect or refusal to comply therewith shall be subject to the penalties herein provided.

HISTORY: 1962 Code Section 35‑54; 1952 Code Section 35‑54; 1942 Code Section 7236; 1932 Code Section 7236; Civ. C. ‘22 Section 4391; 1917 (30) 46.

CROSS REFERENCES

Hotel and motel rooms and other accommodations to be furnished with certain security devices, see Section 45‑1‑90.

Municipal building codes and fire prevention, see Section 5‑25‑10 et seq.

Municipal corporations, generally, see Section 5‑1‑10 et seq.

Powers of municipalities, generally, see SC Const. Art. VIII, Section 9.

Library References

Innkeepers 2.

Westlaw Topic No. 213.

C.J.S. Inns, Hotels, and Eating Places Sections 6, 12 to 13.