



CITY OF ORANGEBURG

TWO PERCENT (2%) HOSPITALITY/ACCOMMODATIONS FEE

Please remit to the City of Orangeburg by the 20th day following the end of the reporting period to avoid a 5% penalty.

PO Box 1183 * 979 Middleton ST, SE * Orangeburg SC, 29116
Phone (803) 533-6000

www.orangeburg.sc.us

General Questions

What is a Hospitality Fee?

A 2% fee imposed on the purchase of prepared or modified food and/or beverages intended for immediate consumption.

Why was it necessary to implement a Hospitality & Accommodations Tax Fee?

To fund necessary capital improvements such as beautification projects and tree plantings, promotional efforts, downtown improvements including Streetscape phases, Promotional activities, parking lots, airport improvements, Edisto Gardens projects, Christmas lights and other projects. Funds are also used to fund Keep America Beautiful and Downtown Orangeburg Revitalization Committee and the Orangeburg Community Development Corporation, which is planning to revitalize Railroad Corner at Russell and Boulevard.

Who is responsible for the collection and remittance of the Hospitality Fee ?

The food service establishment is liable for the collection of the fee from patrons and the monthly remittance of these collections to the City of Orangeburg every month.

How will the fee be remitted?

Fees will be remitted to the Finance Department at the City of Orangeburg on a monthly basis by the 20th of each month for the prior month's total collections. Each remittance must be accompanied by a completed Hospitality & Accommodations Tax Fee Monthly Reporting Form. A form must be submitted every month.

How can I get additional remittance forms?

Go online to www.orangeburg.sc.us/hosp/

What if my fee payment is delinquent?

A 5% penalty per month should accompany all delinquent remittances. If the 20th of the month falls on the weekend, remittances must be postmarked by the 20th or received the Friday before. Tickets for unpaid hospitality or accommodation fees can & will be issued on delinquent accounts.

Restaurants and Bars

What sales are affected by the Hospitality Fee for restaurants, bars and other food service establishments? **ALL** food and beverage sales.

Convenience Stores and Grocery Stores

What sales are affected by the Hospitality Fee for convenience stores and grocery stores?

All food and/or beverage sales prepared or modified as a meal for immediate consumption.

What are some examples of prepared and/or modified food and beverages covered by the Hospitality Fee sold by convenience stores and grocery stores?

- A. Heated foods (pizza, nachos, hot dogs, sandwiches, chicken, vegetables, etc.)
- B. Prepared sandwiches, salads, doughnuts, and cakes
- C. Fountain drinks, frozen drinks, coffee, cappuccino, etc.

What are some examples of prepared and/or modified food and beverages NOT covered by the Hospitality Fee sold by convenience stores and grocery stores?

- A. Packaged Foods
- A. Canned or bottled beverages.
- B. Prepackaged cold deli products.

Accessory Food Service Facilities

What sales are affected by the Hospitality Fee for food service which is an accessory to the primary business (arcades, amusements, theaters, etc.?)

Prepared or modified food and beverage items such as fountain drinks, popcorn, nachos, etc.

Accommodations

What sales are affected by the Hospitality and Hospitality Fee for Accommodations.

The rental charge for rooms, campground spaces, lodging or sleeping accommodations furnished to transients for less than 90 consecutive days and those guest charges that are affected by State Accommodations tax.

Office Use Only

Approval By: _____

Date Received: _____

CITY OF ORANGEBURG

PO BOX 1183, ORANGEBURG, SC 29116-1183 * PHONE : (803) 533-6000

www.orangeburg.sc.us

Hospitality & Accommodations Fee Monthly Reporting Form

Business Name : _____
DBA : _____
Address: _____

SALES FOR:

Month	Year
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CITY OF ORANGEBURG

Business License Identification # _____

Computation of Hospitality & Accommodations Fees amount due:

1. Gross proceeds from the Sale of Food/Beverages Effective 12/2/97.....		
2. Gross proceeds from Rental of Transient Accommodations Effective 12/2/97.....	+	
3. TOTAL GROSS PROCEEDS (Sums of lines 1 & 2).....	=	
4. Computation of Fees (Line 3 x 2% (.02)).....	=	
5. Balance Due (amount of line 4).....	=	
6. Penalty on delinquent fees (if applicable) line 5 x 5% (.05) per month*.....	+	
7. TOTAL FEES HOSPITALITY & ACCOMODATIONS FEES DUE....	=	

Enclose check with
this return

This return covers the period through the last day of the month and becomes delinquent on the 21st day of the following month.

❖ **PENALTY on delinquent fees - a penalty of five percent (5%) of the unpaid fee for each month or portion thereof after the due date until paid**

Authorized Signature

ORDINANCE NO. 1998- 4

AN ORDINANCE TO AMEND CHAPTER VII OF THE CODE OF ORDINANCES FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA AS IT RELATES TO LICENSES AND MISCELLANEOUS BUSINESS REGULATIONS FOR THE PURPOSE OF ESTABLISHING A TWO PERCENT (2%) LOCAL HOSPITALITY TAX FOR PREPARED FOOD AND BEVERAGES SOLD WITHIN THE CORPORATE LIMITS OF THE CITY OF ORANGEBURG

WHEREAS: In its 1997 legislative session, the General Assembly of the State of South Carolina adopted the Local Hospitality Tax Act with an effective date of July 1, 1997 which is codified as sections 6-1-700 to 6-1-750, Code of Laws of South Carolina 1976 (the act) and;

WHEREAS: In accordance with (the act) local governing bodies are allowed to impose by ordinance, a local hospitality tax to help alleviate the added financial burden on city resources in providing the services and improvements needed to support tourism and transient population and;

WHEREAS: The City of Orangeburg finds that a tax of two percent (2%) to be collected by food and drink service businesses in the City, which are businesses who benefit most directly from tourism, would result in collections by the city and would be sufficient to help alleviate the added financial burdens created in providing the services and infrastructure necessary to support and enhance the tourism industry and transient population within the City of Orangeburg.

NOW, THEREFORE, IT IS ORDAINED, by the Mayor and Members of Council of the City of Orangeburg, South Carolina, in Council assembled and by the authority of the same, that Chapter VII of the City of Orangeburg Code of Ordinances be amended as follows:

Section 7-10.1 Authority

This chapter is enacted pursuant to the authority of Title 5, Code of the State of South Carolina (1976), including, without limitation, S. C. Code Ann. Section 5-7-10 (Supp.1992), and S. C. Code Ann. Section 5-7-30 (Supp. 1992), which provide, in relevant part, that municipalities may adopt all ordinances which appear necessary and proper for the security, general welfare and convenience of the municipality and for the preservation of the general health, peace and order in the municipality and further that municipalities may establish uniform service charges.

Section 7-10.2 Declaration of purpose and intent

This article is enacted to preserve the general health, safety and welfare of the general public within the City of Orangeburg, South Carolina, by creating a uniform tax for the purpose of creating a fund which will be utilized for purposes enumerated in Section 6-1-730 of the State Code of Laws of South Carolina and as may be amended.

Section 7-10.3 Hospitality Tax

A tax equal to two percent (2%) is hereby imposed on a gross proceeds derived from:

The sale of all food and beverages, served by a restaurant, hotel, motel, or other food service facility within the City of Orangeburg. In addition, the tax shall be imposed for all food and beverages prepared or modified by convenience stores or grocery stores within the City of Orangeburg, South Carolina.

Section 7-10.4 Payment of Tax

(a.) Payment of the tax established herein shall be the liability of the consumer of the services for items described in Section 7-10.3. The tax shall be paid at the time of delivery of the services or items to which the tax applies and shall be collected by the provider or seller of the service, services or items.

(b.) The tax collected by the seller or provider of the services or items as required under Section 7-10.3 shall be remitted to the City of Orangeburg on a monthly basis along with such return or form as may be established by the City of Orangeburg for such purpose. In the event that the monthly tax should calculate to less than twenty dollars (\$20.00) per month, that seller will be permitted to remit the amount due on a semi-annual basis. For any month in which the tax due exceeds twenty dollars (\$20.00), that month's tax and all previous months taxes will be due and payable to the City of Orangeburg under the terms set out in Section 7-10.4(c).

(c.) Taxes and required reports shall be submitted to the City of Orangeburg by the twentieth day of the month and shall cover sales of the previous month. Any taxes not timely remitted shall be subject to a penalty of five percent (5%) of the unpaid tax for each month or portion thereof after the due date until paid. The failure to collect from patrons the tax imposed by this article shall not relieve any establishment subject to this article from making the required remittance.

(d.) Any person violating this article shall be deemed guilty of an offense and shall be subject to punishment under Section 7-2.10 upon conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent tax, penalties, and costs provided for herein.

Section 7-10.5 Hospitality Tax Account

The revenue account, to be known as the City of Orangeburg Hospitality Tax, shall be established and all revenues received from the hospitality tax shall be deposited into his account. The principal and any accrued interest from this account shall be expended only as permitted in Section 7-10.6 below.

Section 7-10.6 Permitted uses of funds

The City of Orangeburg, South Carolina is hereby authorized to utilize the funds collected from the imposition of the hospitality tax for the purposes enumerated in Section 6-1-730 of the State Code of Laws of South Carolina and as may be amended.

Section 7-10.7 Inspection and Audits

For the purpose of enforcing the provisions of this section the city treasurer or other authorized agent of the city is empowered to enter upon the premises of any person subject to this section to make inspection, examine and/or audit the books and records, and it shall be unlawful for any person to fail or refuse to make available the necessary books and records. In the event that the audit or inspection reveals that false information has been filed by the establishment, the cost of the audit shall be added to the correct tax and late penalties in addition to other penalties provided herein. Each day of failure to pay the proper tax shall constitute a separate offense. The city treasurer shall make systematic inspections of the businesses within the city to insure compliance with the section. Records of inspections and audits shall not be deemed to be public record and shall not be released by the city.

Section 7-10.8 Authorization for use

Authorization to utilize revenues from the hospitality tax account shall be by the annual budget ordinance duly adopted by the City Council of the City of Orangeburg, South Carolina.

Section 7-10.9 Severability

If any section, phrase, sentence or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such section, phrase, sentence or portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining sections, phrases, sentences, or portions thereof.

Section 7-10.10 Effective date

This article shall become effective on February 16, 1998.

PASSED by the City Council of Orangeburg, State of South Carolina, duly assembled this 21st day of December 1997.

Martin E. Cheatham
Mayor

Gene O'Haire

Sandra P. Knotts

Laura Min

James Blum

James Blum

James Blum

James Blum
Council

ATTEST: Sharon N. Lerner
(City Clerk)