

TOWN OF BRIARCLIFFE ACRES )  
 )  
SOUTH CAROLINA )

ORDINANCE NO. 2011-08  
1<sup>st</sup> Reading \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 16 OFFENSES AND MISCELLANEOUS PROVISIONS OF THE CODE OF THE TOWN OF BRIARCLIFFE ACRES, SOUTH CAROLINA TO CREATE PROVISIONS REGARDING SLEEPING IN MOTOR VEHICLES WITHIN THE TOWN LIMITS.**

**WHEREAS**, the Town of Briarcliffe Acres Code Chapter 16 Offenses and Miscellaneous Provisions needs to be amended to address issue of sleeping in motor vehicles within the Town; and

**WHEREAS**, there has been determined to be an issue with persons sleeping in their cars at night within the Town;

**WHEREAS**, the Town of Briarcliffe Acres Council believes it is in the best interest of the town to create this ordinance;

**NOW THEREFORE** by the power and authority granted to the Town of Briarcliffe Acres by the Constitution of the State of South Carolina and the powers granted to the Town by the General Assembly of the State, it is ordained and enacted:

1. **That the Code of the Town of Briarcliffe Acres, South Carolina, is hereby amended to create the following ordinance:**

**Sec 16-2. Sleeping in motor vehicles at night prohibited.**

It shall be unlawful for any person to sleep in any automobile or other motor vehicle in the town between the hours of 9:00 p.m. and 8:00 a.m. in any public area.

2. **Severability:** If a Section, Sub-section, or part of this Ordinance shall be deemed or found to conflict with a provision of South Carolina law, or other pre-emptive legal principle, then that Section, Sub-section, or part of this Ordinance shall be deemed ineffective, but the remaining parts of this Ordinance shall remain in full force and effect.
3. **Conflict with Preceding Ordinances:** If a Section, Sub-section or provision of this Ordinance shall conflict with the provisions of a Section, Sub-section or part of a preceding Ordinance of the Town of Briarcliffe Acres, then the preceding Section, Sub-section, or part shall be deemed repealed and no longer in effect.
4. **Effective Date:** This Ordinance shall become effective on Second Reading.

**AND IT IS SO ORDAINED, ENACTED AND ORDERED.**

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Mayor

Council:

Attest:

\_\_\_\_\_  
Town Clerk

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