



City of Charleston
South Carolina

John Tecklenberg
Mayor

Daniel Riccio
Director

Department of Livability and Tourism

TOURISM COMMISSION: TOUR GUIDE COMMITTEE

A meeting of the Tourism Commission: Routes, Parking and Tourism Rules Committee will be held **Wednesday February 22, 2023, at 4:00 p.m.**, at 75 Calhoun in the third floor HR Training Room.

The public is encouraged to attend the meeting in person to speak in order for comments to be fully heard. Written comments must be submitted by 12 p.m. on Tuesday, February 21, 2023 (day before the meeting) at <http://innovate.charleston-sc.gov/comments/> or delivered to 75 Calhoun Street, Suite 3400, Charleston, SC 29401. Written comments will be provided to the board members 24 hours in advance of the meeting and will be acknowledged into the record and summarized.

Agenda

1. Call to order
2. Moment of Silence
3. Approval of Minutes
4. Public Input
5. Items for Discussion (Action may or may not be taken on any of the below items):
 - a. Discuss and review amendments to ordinances pertaining to tour guide licensing.
6. Old Business
7. New Business
8. Adjournment

Ratification

Number _____

AN ORDINANCE

TO AMEND CHAPTER 29 OF THE CITY OF CHARLESTON CODE OF ORDINANCES BY REMOVING REFERENCES TO TOUR GUIDE LICENSING AND REGISTERED TOUR GUIDES AND ESTABLISHING A VOLUNTARY TOUR GUIDE CERTIFICATION PROGRAM.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 29 of the Code of the City of Charleston is hereby amended by deleting text shown below with a ~~striketrough~~ and adding in its place and stead text with a double underline.

Section 2. Sec. 29-2. - Definitions

~~Registered tour guide shall mean a person who has passed the examination and received the certificate referred to in this chapter.~~

Section 3. Sec. 29-17. Hearing on suspension, revocation or appeal.

- (a) Should the director serve notice of suspension or revocation of a ~~license or~~ certificate, the notice of suspension or revocation shall advise the holder of the time and location of the hearing and the right to present evidence and to be represented by counsel. The hearing shall be informal and the decision of the commission shall be final. Should the commission order the suspension or revocation of a certificate or should the holder fail to appear at the hearing, the suspension or revocation shall take effect at the closing of the hearing.

Section 4. Sec. 29-58. - Business License-- Required.

No person shall act or offer to act as a tour guide in the city for hire unless he or she has a City of Charleston business license or works for a tour business with a City of Charleston business license. ~~first passed a written examination and is LICENSED by the city's office of tourism management as a registered tour guide.~~

Sec. 29-59. Voluntary tour guide certification.: ~~application, examination and grant or denial of license~~

- (a) The written examination shall be based upon materials approved by the tourism commission which shall be made available to the public by department of livability and tourism ~~the manager of arts and history/tourism commissions~~ for a fee.
- (b) The department of livability and tourism ~~The manager of arts and history/tourism commissions~~ shall prepare and administer the written examination which is meant to test the applicant's knowledge of the city and its history.
- (c) At the time of the examination, applicants shall provide ~~to the manager of arts and history/tourism commissions~~ with the following:
 - (1) Current driver's license or state-issued identification; or
 - (2) A recent photograph and other proof of identification to the satisfaction of the director of livability and tourism or his/her designee ~~manager of arts and history/tourism commissions~~; and
 - (3) A receipt indicating proof of payment for examination.
- (d) The examination shall be given twice a month ~~every other week~~ at a time and place to be determined by the director of livability and tourism or his/her designee ~~manager of arts and history/tourism commissions~~ however, in case of hardship, the examination may be scheduled sooner.
- (e) The examination shall be uniform for all persons taking the examination on the same day.

- (f) An applicant shall receive a passing grade for the examination when seventy (70) percent of the questions asked are answered correctly. An applicant must receive a passing grade on the written examination before being granted a ~~registered~~ tour guide certification license.
- (g) It shall be the duty of the director of livability and tourism or his/her designee ~~manager of arts and history/tourism commissions~~ to review each examination to determine if a passing grade has been attained.
- (h) Individuals found cheating on the tour guide certification license examination shall receive a failing grade on the examination and shall be disqualified from re-taking the examination for a period of one (1) year.

Section 5. Sec. 29.59 of the City of Charleston Code of Ordinances is hereby amended by adding information on the voluntary certification process related to expiration and renewal in alphabetical order as follows:

- (i) The voluntary certification of a tour guide shall expire on December 31st of the third year after its issuance. Renewal of certification can be met in one of the two following ways:
 1. Re-taking and obtaining a passing grade of seventy (70) percent on the examination.
 2. A tour guide may renew their certification by showing proof of attendance at four approved continuing education lectures since the guide's last test or renewal.
Approved courses shall be on a list maintained by the City per section 29-64.
- (j) A tour guide maintaining certification for a period of twenty-five (25) consecutive years shall achieve the status of tour guide emeritus and shall be issued a permanent certified tour guide ID with no expiration date and shall be exempt from further examination and education requirements.

Section 6. Sec. 29-61 is hereby amended by deleting the text in its entirety and replacing with the text below:

Sec. 29-61. Tour guide identification card.

- (a) Upon successfully meeting all the requirements of the voluntary certification program and after verification of a business license, the applicant shall be issued a certified tour guide ID by the department of livability and tourism.
- (b) Individuals choosing not to participate in the Voluntary Certification program may request an ID by the department of livability and tourism once they have completed the following requirements.
 1. First time tour guide applicants shall sign an acknowledgement stating that they have reviewed the current tour regulations and that they understand that these regulations apply to their tour activities.
 2. Individuals must provide a copy of their business license if independently employed or a copy of their employer's business license and a signed acknowledgement form from the department of livability and tourism showing that they are employed by them.

Section 7. Chapter 29 of the Code of the City of Charleston is hereby amended by deleting text shown below with a ~~strikethrough~~ and adding in its place and stead text with a double underline.

Sec. 29-62. Display of ~~license~~ Tour Guide Identification Card

- ~~(a) Every person licensed under this article shall wear such tour guide license on his or her person in plain view at all times when exercising the privileges of such license.~~
- ~~(b) Additionally, e~~Every person acting as a tour guide ~~licensed under this article~~, must carry on their person proof of valid business license and picture identification, either a state of South Carolina issued identification or a City issued tour guide ID, while conducting a tour ~~when exercising the privileges of such tour guide license.~~

Section 8. Sec. 29-63 is hereby amended by deleting the text in its entirety and renumbering the remaining Sections in Article III.

Section 9. Sec. 29-66 is hereby amended by deleting the text in its entirety and adding 29-65 and 29-66 to Reserved section.

Section 10. Chapter 29 of the Code of the City of Charleston is hereby amended by deleting text shown below with a ~~striketrough~~ and adding in its place and stead text with a double underline.

Sec. 29-95. ~~Registered~~ tour guide required.

No one other than a ~~registered~~ tour guide may conduct a tour for hire in a private passenger automobile. A tour guide card will be placed in the rear window of the vehicle while touring for hire.

Section 11. Sec. 29-111. Tour guide required.

All tours on small buses must be conducted by a ~~registered~~ tour guide. ~~, and a tour guide card shall be displayed in the lower left hand corner of the front windshield, in plain view clearly visible from outside the vehicle.~~

Section 12. Sec. 29-144 Tour Guide Required

All tours on large buses must be conducted by a ~~registered~~ tour guide. ~~, and a tour guide card shall be displayed in the lower left hand corner of the front windshield, in plain view clearly visible from outside the vehicle.~~

Section 13. Sec. 29-189. – Suspension or revocation.

(b) If, in the opinion of the director of the department of livability and tourism or his/her designee, a certificate of appropriateness ~~or tour guide license~~ should be suspended or revoked, he or she shall give written notice to the holder thereof, by certified mail, of the

right to appear before the commission and show cause why the certificate of appropriateness ~~or the tour guide license~~ should not be suspended or revoked.

Section 14. Sec. 29-205. – Tour Guide Required

All tours on animal-drawn vehicles must be conducted by a ~~registered or temporary~~ tour guide.

Section 15. Sec. 29-240. Report of accident required.

- (a) The driver of a vehicle, or ~~licensed~~ tour guide, governed by the tourism ordinances, involved in any accident/occurrence resulting in injury to or death of any person/animal and/or property damage shall within twenty-four (24) hours of such accident/occurrence make written report thereof to the director of livability and tourism or his/her designee. Further, all carriage operators must maintain current liability insurance information on their carriages at all times. The information must include the name of the insurance carrier, the policy number, and the contact telephone number of the insurance carrier.

Section 16. Sec. 29-241. Compliance Required.

Failure to comply with this article or any of the laws, ordinances, or regulations of this city may result in revocation of any certifications ~~licenses~~ and punishment in a court of appropriate jurisdiction.

Section 17. Sec. 29.261. Limits on size; additional tour guides.

- (a) All walking tours for hire conducted from the public right-of-way shall consist of no more than twenty (20) persons per group, excluding the ~~licensed~~ tour guide. Any walking tour for hire conducted from the public right-of-way consisting of more than twenty (20) people shall be divided into groups not to exceed twenty (20) and each group shall be accompanied by a ~~licensed~~ tour guide. This section shall not apply to school groups that exceed twenty (20) people. School groups exceeding twenty (20) people may be accompanied by either a

~~licensed~~ tour guide or a chaperone for every group of twenty (20) people, or fraction thereof, that exceeds an initial twenty (20) people to manage the school groups while walking on the public rights-of-way to avoid impeding vehicular or pedestrian traffic.

Section 18. This Ordinance shall become effective upon ratification.

Ratified in City Council this ____ day of
_____ in the Year of Our Lord, 2023,
and in the ____th Year of the Independence of
the United States of America

John Tecklenburg, Mayor

ATTEST:

Clerk of Council