

1975 WL 28874 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

May 30, 1975

***1 Re: Hours of Sale of Beer and Wine**

Mr. W. W. Watkins, Jr.
Kwik-Pik Markets, Inc.
P. O. Box 907
Henderson, North Carolina 27536

Dear Mr. Watkins:

This is in reply to your letter of May 21 concerning the hours during which beer and wine may legally be sold.

Section 4-204, 1962 Code of Laws, as amended, reads in pertinent part:

It shall be unlawful for any person to sell or offer for sale any wine or beer in this State between the hours of twelve o'clock Saturday night and sunrise Monday morning; . . .

This section makes such sale a misdemeanor and provides for revocation of the party's retail license. Section 4-204.1 provides for the confiscation of all beer and wine found in the place of business of the guilty party.

The hours of sale are more limited in certain counties as provided by Sections 4-205, 4-205.1, and 4-241, as amended.

The South Carolina Supreme Court has held that municipalities may in the exercise of their police power enact reasonable regulations concerning the hours during which beer and wine may be sold. [City of Charleston v. Jenkins](#), 248 S.C. 205, 133 S.E. 2d 242; [Arnold et. al. v. City of Spartanburg](#), 201 S.C. 523, 23 S.E. 2d 735. Where such ordinances exist the specified hours would be controlling.

I would suggest that you contact your business' attorney in order to ascertain which ordinances effect the particular stores you operate in this state.

Sincerely,

Dudley Saleeby, Jr.
Assistant Attorney General

1975 WL 28874 (S.C.A.G.)

End of Document

© 2018 Thomson Reuters. No claim to original U.S. Government Works.