

MINUTES

ORDINANCE AND RULES COMMITTEE MEETING

5:15 P. M., JULY 18, 2022

THE MEETING WAS HELD IN PERSON IN THE AV ROOM #308 IN CITY HALL.

Chad Robinson, Chairperson, called the meeting of the Charleston City Council Committee on Ordinance and Rules to order at 5:15 p.m., JULY 18, 2022.

Committee Members Present:

Chad Robinson, Chair
Bobby Reishman, Vice Chair
Ben Adams
Emmett Pepper (via Zoom)

Absent:

Becky Ceperley
Adam Knauff
Keeley Steele

Councilmembers also Present:

1. Bill No. 7966 – A BILL to amend the Code of the City of Charleston by updating references to the state building code in order to conform to the state requirements, effective August 1, 2022.

City Attorney, Kevin Baker, explained that the Fire Commission has updated their rules through the State to adopt the most recent version of the International Building Code. The bill incorporates those modifications into City Code as is required.

Councilmember Pepper added that it is great that the City is adopting these changes earlier than required.

Councilmember Reishman motioned to approve Bill No. 7966. Councilmember Adams seconded. With those being present having voted unanimously in the affirmative, the Chair declared Bill No. 7966 as approved.

2. Discussion of Consumer Protection

Councilmember Pepper introduced Matt Stonestreet, who practices consumer law, and is working with him to ensure that the City has strong consumer protections in place.

Stonestreet added that most consumer statutes are from the 1970s, including the City and State's codes, and have not been updated much since. It is important that these laws be updated as the landscape has changed significantly. Companies are not required to tell consumers when they are going to take or sell their retina information, facial scans or fingerprint information, for example. By updating the Consumer Protection section of the City Code, they would be advancing the City's ability to get a potential redress.

Councilmember Adams added that the proposed bill was interesting, but he was worried about the duties it would place on the City Attorney. He clarified with Stonestreet that there used to be a Consumer Protection Director within the City that was successful. Stonestreet added that the new language would allow for the Attorney's Office to hire outside counsel as needed to help with any additional burden placed on that Department.

Councilmember Adams summarized that the bill proposes to protect home improvement, biometric information, debt collectors and prohibited acts, such as consumer fraud, etc. Stonestreet added that they are all categorized as "honesty laws" to prevent harm to the consumer and other legitimate businesses. This would include a company simply telling a consumer they are collecting their biometric data, or for disclosing that a certain fee will be charged, for example.

Councilmember Robinson asked what in the proposed bill is not already covered under the State's Consumer Protection law. Stonestreet replied that, while there would be

some overlap, State law doesn't contain anything about biometric data collection. Councilmember Robinson asked if the Building Department had the authority over the home improvement section of the proposed bill. Director of the Building Department, Tony Harmon, replied that they would not be able to go after any such businesses, but could refer problems to State agencies.

Councilmember Adams confirmed that the Attorney's General's Office published an annual report with these statistics.

Councilmember Reishman motioned to adjourn the meeting. Meeting adjourned.