

The State of South Carolina



Office of the Attorney General

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November 6, 1985

C. David Stone, Sheriff  
County of Pickens  
P. O. Box 491  
Pickens, South Carolina 29671

Dear Sheriff Stone:

In a letter to this Office you questioned the applicability of Sections 53-1-5 and 53-1-10 of the Code to the holding of events such as automobile or motorcycle races, musical events, car shows or exhibitions, and tractor pulls on Sunday. You particularly questioned the legality of the sale of admission tickets, the admission of ticketholders, participants, and crew members, and the taking part of individuals in preparatory activities leading up to an event when such take place prior to 1:30 p.m. on Sunday.

Section 53-1-5 states that the provisions of Chapter 1 of Title 53 of the Code, the "blue laws" provisions, do not apply after 1:30 p.m. on Sunday. Section 53-1-10 provides that

"(i)t shall be unlawful to operate for professional purposes athletic events, public exhibitions, historic or musical entertainment, or concerts unless a permit shall first be obtained from the town or city council, if the activity is in an incorporated town or city, or from the governing body of the county if the activity takes place outside of an incorporated town or city by either the sponsor of the athletic or entertainment event or exhibition or the individual participant."

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It appears that automobile and motorcycle races, musical events, car shows or exhibitions, and tractor pulls are included in the type of events permitted to be held on Sunday where a permit is obtained pursuant to Section 53-1-10. Furthermore, the type activities referenced in your letter associated with or incidental to a particular event, such as advance ticket sales, the admission of ticketholders and participants, and preparatory activities leading up to an event could also take place at any time on Sunday if a permit to hold the particular event is obtained pursuant to Section 53-1-10. While such statute authorizes the holding of the event, it appears that it must also be read to authorize preparatory activities such as ticket sales, incidental to the event. To determine otherwise would constitute an absurd result, a result surely not intended by the legislature and which should be avoided. See: 2A Sutherland Statutory Construction Section 45.12; State ex rel. McLeod v. Montgomery, 244 S.C. 308, 136 S.E.2d 778 (1964).

Referencing the above, it is clear that certain activities such as races, musical events, car shows, and tractor pulls may be held on Sundays in this State. Also, if a permit is obtained pursuant to Section 53-1-10, activities incidental to an event such as those described above could take place prior to 1:30 p.m. on Sunday.

If there is anything further, please advise.

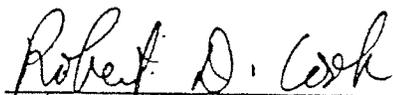
Sincerely,



Charles H. Richardson  
Assistant Attorney General

CHR/an

REVIEWED AND APPROVED BY:



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