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MAY 17 2016  
SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas  
The Honorable R. Markley Dennis, Jr.

Docket No. 2011-CP-08-2814  
Appellate Case No. 2014-002393

Todd Olds.....Appellant,

v.

City of Goose Creek.....Respondent.

**MOTION FOR LEAVE TO FILE  
*AMICUS CURIAE* BRIEF**

Pursuant to Rule 213, SCACR, the Municipal Association of South Carolina (“the Municipal Association”) respectfully requests and moves for leave to file and serve an *Amicus Curiae* Brief in this matter. As allowed by Rule 213, the Association also conditionally files its brief with this Motion for Leave to File.

**I. INTEREST OF *AMICUS CURIAE***

The Municipal Association is a nonpartisan, non-profit association of the State’s incorporated cities and towns with 270 member municipalities. The Municipal Association, in addition to offering services and programs to its member municipalities, promotes and represents the collective interests of municipalities. The Municipal Association’s interest in this case is to

provide the Court with broader perspective on the enactment of business license ordinances by municipalities.

## II. DESIRABILITY OF BRIEF OF *AMICUS CURIAE*

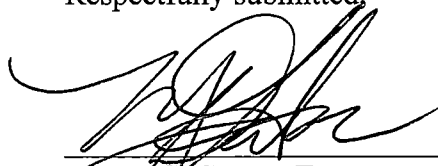
Of particular importance to the Municipal Association's member municipalities is the first issue on appeal that pertains to whether the business license tax ordinance of the City of Goose Creek is valid (hereinafter "validity issue"). Municipalities have constitutional police powers conferred by S.C. Const. Art. VIII, §§7, 9 and the broad authority to enact ordinances as necessary and property for security, general welfare and convenience to include levying business license taxes pursuant to S.C. Code §5-7-30.

The determination by this Court on the validity issue could have a significant and lasting statewide impact on local ordinances enacted by member municipalities. Given the potential wide-reaching effect of the determinations related to the validity issue, the Municipal Association wishes to present supplemental arguments in favor of the the City of Goose Creek's position.

WHEREFORE, the Municipal Association respectfully requests that the Court grant leave for the Municipal Association to file and serve an *Amicus Curiae* Brief and, further, to accept for filing the Municipal Association's conditionally filed brief.

[SIGNATURE ON NEXT PAGE]

Respectfully submitted



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Municipal Association of South Carolina*

May 17, 2016

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**CERTIFICATE OF SERVICE**

I certify that I have this 17<sup>th</sup> day of May, 2016, mailed a copy of the Municipal Association's Motion for Leave to File an *Amicus Curiae* Brief to the following via U.S. Mail with sufficient postage thereto to the below listed attorneys.



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MAY 17 2016

SC Court of Appeals

May 17, 2016

**VIA HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Todd Olds v. City of Goose Creek  
Docket No. 2011-CP-08-2814  
Appellate Case No. 2014-002393

Dear Ms. Kitchings:

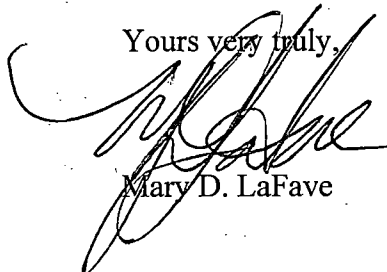
Please find enclosed for filing the original and six copies of the Motion for Leave to File Amicus Curiae Brief pursuant to Rule 213, SCACR, along with our check in the amount of \$25.00 representing the filing fee. As also allowed by Rule 213, I am conditionally filing the original and 15 copies of the Amicus Curiae Brief of Municipal Association of South Carolina. Also enclosed for filing is the Proof of Service for both documents.

Once filing is complete, I would appreciate you returning a clocked copy of each document to the person hand delivering this envelope.

By copy of this correspondence to the attorneys for the Appellants and Respondent, I am hereby serving a copy of this Motion and Amicus Curiae Brief upon them.

Thanking you in advance, I am

Yours very truly,



Mary D. LaFave

MDL/dmb  
Enclosure

cc: Thomas R. Goldstein, Esquire  
Timothy A. Domin, Esquire