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STATE ETHICS
COMMISSION

STATE OF SOUTH CAROLINA
STATE ETHICS COMMISSION

COMPLAINT FORM

FOR COMMISSION USE ONLY:

CASE NUMBER

c 2021-110

COMPLAINANT: William Young

ADDRESS: [REDACTED]

RESPONDENT: Alex Cavazzoni

ADDRESS: [REDACTED]

TELEPHONE NUMBER: [REDACTED]

TITLE: n/a

TELEPHONE NUMBER: [REDACTED]

TITLE: Candidate for Mayor of Walterboro

Set forth in detail specific facts upon which you based your complaint against above-named respondent (only detailed, clear factual allegations will be considered. If additional space is needed, attach supplemental sheets).

Alex Cavazzoni has not complied with the filing requirements of candidates for elected office in South Carolina because he has failed to submit any filings to the SC State Ethics Commission. Pursuant to SC law, he was required to file an initial report within 10 days of spending or receiving \$500 dollars of campaign funds. Pursuant to the Walterboro Code of Ordinances, Appendix B – COMPREHENSIVE FEE SCHEDULE (attached), the fee to file to run for mayor of Walterboro is \$509.24. Accordingly, Mr. Cavazzoni was required by law to file an initial report within 10 days of filing to run for mayor, yet he did not do so.

In addition, Mr. Cavazzoni failed to file the required pre-election report, which is required to be filed no later than 15 days, but not more than 20 days before the election. Based on the November 2, 2021, election date, this disclosure was required to be filed no later than October 18, 2021. To date, nothing has been filed.

Mr. Cavazzoni has engaged in substantial campaign activities, all of which cost money and therefore required reporting. In addition to paying the filing fee, he has maintained a website, cavazzoniformayor.com, which was created on September 8, 2021, after Mr. Cavazzoni filed to run for mayor (see attached). Thereafter, a companion website promoting Cavazzoni's candidacy, heywalterboro.com, was created on September 20, 2021 (see attached). Upon information and belief, he has published various campaign videos as featured on his website, advertised on local media, and purchased campaign signage. These campaign activities should have been reported. Because Mr. Cavazzoni has ignored the election laws, the public has been deprived of the opportunity to know who funded his campaign and in what amounts, and whether those donations are in accordance with state law. Likewise, Mr. Cavazzoni has ignored the laws he agreed to follow when he filed to run for public office. Based on the above information, an investigation is warranted and corrective action should be taken.

All investigations, inquiries, hearings, and accompanying documents must remain confidential unless respondent waives the right to confidentiality. If there is a finding of probable cause, the following documents become public record: the complaint, the response (if any) by respondent, and the notice of hearing. If a hearing is to be held, the final order and all exhibits become public record. If no hearing is held following a finding of probable cause, the final disposition of the matter becomes public record. The willful release of confidential information is a misdemeanor, and any person releasing such confidential information, upon conviction, must be fined not more than one thousand dollars (\$1,000) or imprisoned not more than one year. Section 8-13-320(10)(g).

STATE OF SOUTH CAROLINA

COUNTY OF Greenville

Personally appeared before me William Young who, first being duly sworn, says that he/she has read and knows the contents of the above complaint and that the allegations contained therein, are true and correct to the best of his/her own knowledge, except for those matters therein based upon information and belief, and as to those he/she believes them to be true.

Sworn to and subscribed before me this
9th day of November, 2021



Notary Public for South Carolina

My Commission expires 5-3-2029



Complainant Signature

SEC-7 (Revised 8/2019)

**REPLY TO: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210 (803)253-4192
FAXED COPIES WILL NOT BE ACCEPTED**

C102form

Appendix B - COMPREHENSIVE FEE SCHEDULE

ADMINISTRATION:	
Election Filing Fees:	
Council	\$254.60
Mayor	509.24
FOIA Fees	.25 per page plus employee time
Certified Audio Recordings	20.00

BUILDING AND CODES DEPARTMENT FEES:	
BUILDING OR SIGN PERMITS TOTAL VALUATION	
Application Filing Fee	\$30.00 (nonrefundable)
\$1,000.00 or less	No fee, unless inspection is required in which case a \$15.00 fee for each inspection shall be charged.
1,001.00 to 50,000.00	15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
50,001.00 to 100,000.00	260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
100,001.00 to 500,000.00	460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.

500,001.00 and up	1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.
Development Permit	30.00 filing and inspection fee.
Demolition	50.00
Plan Checking Fees	Shall be equal to one-half of the permit fee.

ELECTRICAL PERMITS:	
Application Filing Fee	\$30.00 (nonrefundable)
New or Upgrade Services	.25 per amp
Additional or Alterations	30.00
Temp Pole/Trailer Pole/Signs	30.00 (no filing fee)

FINANCE DEPARTMENT FEES		
Accommodations Taxes	.....	Municipal Code <u>Chapter 30</u> , Article II
Hospitality Taxes	.....	Municipal Code <u>Chapter 30</u> , Article II
Audit/Budget Preprinted Book Fee	.....	\$15.00

Returned Check Fee	.....	25.00
Setoff Debt Collection Fee	.....	25.00
Sexually Oriented Business Annual Permit Fee (in addition to business license and any other applicable fees or permits		850.00

GAS PERMITS:	
Application Filing Fee	\$30.00 (nonrefundable)
One to Four Outlets	10.00
Each Additional Outlet	2.00
One Unit (burner, furnace)	5.00
Each Additional	1.00

JUDICIAL DEPARTMENT FEES:

ADMINISTRATIVE FEES:

Indigent defense application fee\$40.00

A forty-dollar application fee for public defender services must be collected from every person who executes an affidavit that he is financially unable to employ counsel. The person may apply to the clerk of court for a waiver or reduction in the application fee. If the trial judge determines that the person is unable to pay the application fee, the fee may be waived or reduced, provided that if the fee is waived or reduced, the trial judge shall report the amount waived or reduced upon sentencing and the trial judge shall order the remainder of the fee paid during probation if the person is granted probation. The clerk of court shall

collect the application fee imposed by this section and proceeds must be remitted on a monthly basis to the general fund. The monies must be used only to provide for indigent defense services.

MECHANICAL PERMITS:	
Application Filing Fee	\$30.00 (nonrefundable)
Heating, Ventilating Duct	10.00 for the first \$1,000.00 of value and \$2.00 for each additional \$1,000.00 of value or fraction thereof.
Boiler Based on BTU input:	33,000 BTU (1 BHP) to 165,000 (5 BHP)— \$5.00
	165,000 BTU (5 BHP) to 330,000 (10 BHP)— \$10.00
	330,001 BTU (10 BHP) to 1,165,000 (52 BHP) —\$15.00
	1,165,001 BTU (52 BHP) to 3,300,000 (98 BHP) —\$20.00
	Over 3,300,000 BTU—\$25.00

PLUMBING PERMITS:	
Application Filing Fee (nonrefundable)	\$30.00
Each plumbing fixture	3.50
Each house sewer (new/repair)	6.00
Each cesspool	6.00

Each septic tank/seepage tank or drainfield	6.00
Each water heater and/or vent	3.50
For installation or alteration or repair of water piping and/or water treating equipment	6.00
For repair or alteration of drainage or vent piping	6.00
For vacuum breakers or backflow protection devices one to five each	3.50
Over five (each)	2.00
Grease Trap Inspections	20.00
All Reinspections	30.00
Permit Renewal	½ permit fee

POLICE DEPARTMENT FEES:

POLICE OFFICER - SECURITY SERVICES:

\$40.00 per hour with a two-hour minimum

PUBLIC SAFETY DEPARTMENT FEES:	
Administrative Fees:	
Incident/Accident Reports	\$5.00 (per report)

False Alarm Fees:	
	\$100.00 for answering each false alarm in excess of two within a seven-day period or 11 in any calendar year at any one address
Vehicle for Hire	
Application	\$100.00
Inspection	\$25.00 (per vehicle)
Police Officer—Security Services	\$25.00 per hour (two-hour min.) (If workers' compensation is not provided additional \$10.00/officer)

UTILITY SUPPORT DEPARTMENT FEES:

WATER

Minimum Charges (Bi-Monthly Billing)

Service Size/Type	In-City	Out-of City
¾" Residential	\$22.31	\$46.22
¾" Commercial	\$28.68	\$60.21
1" Residential	\$34.44	\$84.28
1" Commercial	\$40.13	\$96.36
1¼" Residential	\$45.87	\$108.38

1¼" Commercial	\$51.61	\$120.40
1½" Residential	\$54.45	\$129.42
1½" Commercial	\$60.22	\$141.49
2" Residential	\$94.62	\$231.77
2" Commercial	\$100.34	\$243.83
3" Residential	\$180.61	\$454.50
3" Commercial	\$186.34	\$466.52
4" Residential	\$352.58	\$899.91
4" Commercial	\$358.32	\$911.95
6" Residential	\$696.55	\$1,787.75
6" Commercial	\$728.09	\$1,799.81
8" Residential	\$1,384.47	\$3,563.46
8" Commercial	\$1,390.21	\$3,575.50

Usage Rates

	In-City	Out-of-City
First 4,000	Included in Minimum Charge	
Next 36,000	\$1.48	\$2.98
Next 160,000	\$1.35	\$2.70

All over 200,000	\$1.23	\$2.45
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Water Tap Fees

Service Size	In-City	Out-of-City
¾"	\$589.05	\$1,178.10
1"	\$610.05	\$1,220.10
1 ½"	\$750.75	\$1,501.50
2"	\$2,326.80	\$4,653.60
Over 2"	Cost plus 20%(refer to Utilities Dir)	

SEWER

Usage Rates - Per Thousand		
	In-City	Out-of-City
	\$4.31	\$8.15
Sewer Tap Fees		
	In-City	Out-of-City
Residential	\$376.95	\$753.90
Restaurant	\$3,794.70	\$7,589.40
Motel/Apartments, 1st unit	\$1,517.25	\$3,034.50

Each additional	\$91.18	\$182.35
Business	\$753.90	\$1,507.80
Administrative		
Late fee	\$10.00	
Processing cut-off/on fee	\$30.00	
Water meter removal/replacement	\$50.00	
Deposit	\$100.00	
Turn on/off service fee	\$5.00	
Tampering fee	\$100.00	
Terminate/restore tap fee	\$400.00	
Missed appointment fee 2nd visit	\$25.00	

SANITATION

Garbage Fees		
Residential rollout	\$25.00	
Commercial rollout	\$27.82	
Dumpster - 1 pickup/wk	\$228.70	
Extra pickup on dumpster	\$29.83	

Sharing dumpster	\$114.35
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ZONING CODE SERVICES AND FEES	
Residential Zoning Compliance	\$20.00
Commercial Zoning Compliance	50.00
Zoning Compliance Letter	25.00
Flood Zone Letter	25.00
Zoning Administrative Appeal	100.00(refundable if BZA determines
Construction Appeals	100.00 that appeal was made necessary
Zoning Variance Application	100.00 because of a mistake of the
Special Exception Application	100.00 city and the appeal is granted)
Rezoning	100.00
Preliminary Plat Review	50.00 min./\$10.00 per lot final
Plat Review	20.00 min./\$10.00 per lot
Fence Permit (all inclusive)	5.00
Tree Mitigation	50.00 per inch of required mitigation
<hr/>	

(Ord. No. 2010-10, 6-8-2010; Ord. No. 2011-08, 6-28-2011, eff. 7-1-2011; Ord. No. 2012-08, 6-26-2012; Ord. No. 2012-16, §§ 1—4, 11-13-2012; Ord. No. 2013-01, § II, 1-8-2013; Ord. No. 2013-06, 6-25-2013; Ord. No. 2018-05, 6-5-2018; Ord. No. 2018-06, 6-5-2018; Ord. No. 2019-08, 9-10-2019)

Registration data lookup tool

Enter a [domain name](#) or an Internet number resource (IP Network or ASN) [Frequently Asked Questions \(FAQ\)](#) [\(faq\)](#)

cavazzoniformayor.com

Lookup

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Domain Information

Name: CAVAZZONIFORMAYOR.COM

Registry Domain ID: 2639533164_DOMAIN_COM-VRSN

Domain Status:

[clientDeleteProhibited \(https://icann.org/epp#clientDeleteProhibited\)](https://icann.org/epp#clientDeleteProhibited)

[clientRenewProhibited \(https://icann.org/epp#clientRenewProhibited\)](https://icann.org/epp#clientRenewProhibited)

[clientTransferProhibited \(https://icann.org/epp#clientTransferProhibited\)](https://icann.org/epp#clientTransferProhibited)

[clientUpdateProhibited \(https://icann.org/epp#clientUpdateProhibited\)](https://icann.org/epp#clientUpdateProhibited)

Nameservers:

NS29.DOMAINCONTROL.COM

NS30.DOMAINCONTROL.COM

Dates

Registry Expiration: 2022-09-08 13:23:15 UTC

Created: 2021-09-08 13:23:15 UTC

Contact Information

Registrant:

Handle: 1

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: cavazzoniformayor.com@domainsbyproxy.com

Kind: individual

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States

Technical:

Handle: 3

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: cavazzoniformayor.com@domainsbyproxy.com

Kind: individual

A note about our privacy policies and terms of service:

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States
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Administrative

✕ OK

Handle: 2

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: cavazzoniformayor.com@domainsbyproxy.com

Kind: individual

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States

Billing:

Handle: 4

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: cavazzoniformayor.com@domainsbyproxy.com

Kind: individual

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States

Registrar Information

Name: GoDaddy.com, LLC

IANA ID: 146

Abuse contact email: abuse@godaddy.com

Abuse contact phone: tel:480-624-2505

DNSSEC Information

Delegation Signed: Unsigned

Authoritative Servers

Registry Server URL: <https://rdap.verisign.com/com/v1/domain/cavazzoniformayor.com> (<https://rdap.verisign.com/com/v1/domain/cavazzoniformayor.com>)

Last updated from Registry RDAP DB: 2021-11-03 05:35:07 UTC

Registrar Server URL: <https://rdap.godaddy.com/v1/domain/CAVAZZONIFORMAYOR.COM> (<https://rdap.godaddy.com/v1/domain/CAVAZZONIFORMAYOR.COM>)

Last updated from Registrar RDAP DB: 2021-11-03 09:05:15 UTC

Notices and Remarks

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Registration data lookup tool

Enter a domain name or an Internet number resource (IP Network or ASN) [Frequently Asked Questions \(FAQ\)](#) [\(/faq\)](#)

heywalterboro.com

Lookup

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Domain Information

Name: HEYWALTERBORO.COM

Registry Domain ID: 2642304261_DOMAIN_COM-VRSN

Domain Status:

[clientDeleteProhibited \(https://icann.org/epp#clientDeleteProhibited\)](https://icann.org/epp#clientDeleteProhibited)

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[clientUpdateProhibited \(https://icann.org/epp#clientUpdateProhibited\)](https://icann.org/epp#clientUpdateProhibited)

Nameservers:

NS73.DOMAINCONTROL.COM

NS74.DOMAINCONTROL.COM

Dates

Registry Expiration: 2022-09-20 14:10:01 UTC

Created: 2021-09-20 14:10:01 UTC

Contact Information

Registrant:

Handle: 1

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: heywalterboro.com@domainsbyproxy.com

Kind: individual

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States

Technical:

Handle: 3

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: heywalterboro.com@domainsbyproxy.com

Kind: individual

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Administrative:

✖ OK

Handle: 2

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: heywalterboro.com@domainsbyproxy.com

Kind: individual

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States

Billing:

Handle: 4

Name: Registration Private

Organization: Domains By Proxy, LLC

Email: heywalterboro.com@domainsbyproxy.com

Kind: individual

Mailing Address: DomainsByProxy.com 2155 E Warner Rd, Tempe, Arizona, 85284, United States

Registrar Information

Name: GoDaddy.com, LLC

IANA ID: 146

Abuse contact email: abuse@godaddy.com

Abuse contact phone: tel:480-624-2505

DNSSEC Information

Delegation Signed: Unsigned

Authoritative Servers

Registry Server URL: <https://rdap.verisign.com/com/v1/domain/heywalterboro.com> (<https://rdap.verisign.com/com/v1/domain/heywalterboro.com>)

Last updated from Registry RDAP DB: 2021-11-08 06:35:57 UTC

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8435071150

Hey Walterboro

Work here, Live here, Play here together our future
begins today
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ALEX CAVAZZONI FOR MAYOR WEB SITE

Like us on Facebook

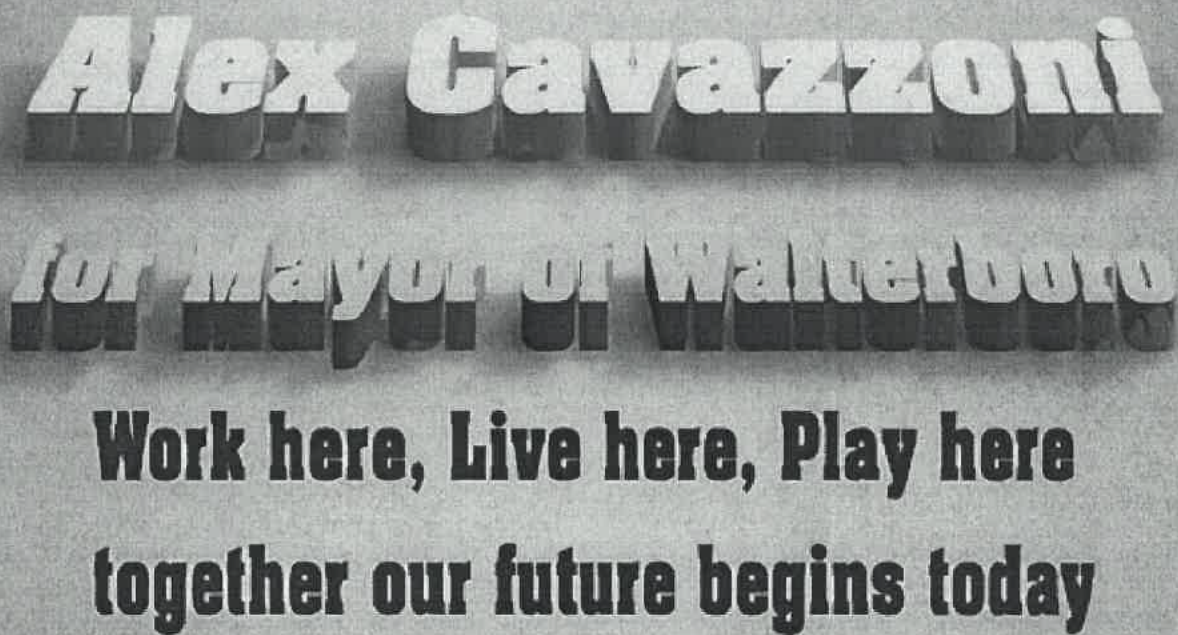
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Alex Cavazzoni
for Mayor of Walterboro
Work here, Live here, Play here
together our future begins today

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STATE OF SOUTH CAROLINA)	
COUNTY OF RICHLAND)	BEFORE THE STATE ETHICS COMMISSION
)	
IN THE MATTER OF:)	
)	
Complaint C2021-110)	
)	
William Young	)	NOTICE OF HEARING
Complainant.)	
)	
Alex Cavazzoni)	
Respondent.)	
_____)	

The State Ethics Commission has determined that there is probable cause pursuant to Section 8-13-320(10)(i), Code of Laws, South Carolina, 1976, as amended, in the above-captioned complaint. The Commission will convene a formal hearing into the matter in accordance with Section 8-13-320(10)(i) & (j), Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.) on Thursday, June 20, 2024 at 9:30 a.m. at the Commission Hearing Room located at: 201 Executive Center Drive, Suite 150, Columbia, South Carolina 29210.

The following allegations will be heard:

COUNT ONE
FAILURE TO FILE A PRE-ELECTION CAMPAIGN DISCLOSURE REPORT
SECTION 8-13-1308(A), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to file a 2021 Pre-Election Campaign Disclosure Report (CDR), in violation of Section 8-13-1308(A).

COUNT TWO
FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to

report a November 2, 2021 personal contribution in the amount of \$509.40, in violation of Section 8-13-1308(F).

COUNT THREE
FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to report a November 18, 2021 personal contribution in the amount of \$300.00, in violation of Section 8-13-1308(F).

COUNT FOUR
FAILURE TO REPORT CAMPAIGN CONTRIBUTIONS
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to report a November 28, 2021 personal contribution in the amount of \$400.00, in violation of Section 8-13-1308(F).

COUNT FIVE
FAILURE TO REPORT CAMPAIGN EXPENDITURE
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to report a November 2, 2021 expenditure for media in the amount of \$509.40, in violation of Section 8-13-1308(F).

COUNT SIX
FAILURE TO REPORT CAMPAIGN EXPENDITURE
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to report a November 18, 2021 expenditure for the filing fee in the amount of \$300.00, in violation of Section 8-13-1308(F).

COUNT SEVEN
FAILURE TO REPORT CAMPAIGN EXPENDITURE
SECTION 8-13-1308(F), S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to report a November 28, 2021 expenditure for signs in the amount of \$400.00, in violation of Section 8-13-1308(F).

COUNT EIGHT
FAILURE TO USE A CAMPAIGN BANK ACCOUNT
SECTION 8-13-1312, S.C. CODE ANN., 1976, AS AMENDED

That Alex Cavazzoni, Candidate for Mayor of Walterboro, did in Richland County, fail to open a campaign bank account, in violation of Section 8-13-1312.

You have the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. This hearing will be open to the public as required by Section 8-13-320(10)(j), Code of Laws, South Carolina, 1976, as amended. The procedures to be followed are set forth in the Administrative Procedures Act, Section 1-23-10, et seq., Code of Laws, South Carolina, 1976, as amended, the State Ethics Act, Section 8-13-100, et seq., Code of Laws, South Carolina, 1976, as amended, and State Ethics Commission Regulations, S.C. Code Ann. Regs. 52-707 (1997 Cum. Supp.).

[THIS SPACE IS INTENTIONALLY LEFT BLANK]

A pre-hearing conference may be scheduled prior to the hearing to allow exchange of witness lists and evidence, marking of exhibits, and disposition of motions or pleadings. In the event you fail to appear, judgment by default will be rendered against you. If there are any questions concerning the above notice or hearing times, please contact the State Ethics Commission.



Meghan Walker Dayson, Executive Director
State Ethics Commission

Dated this 16th day,
of November 2023.

Certificate of Service by Certified Mail

I hereby certify that a copy of this **NOTICE OF HEARING** was duly served on the RESPONDENT Alex Cavazzoni, 266 E. Washington Street, Walterboro, SC 29488 by depositing said **NOTICE OF HEARING** in the United States mail, Columbia, South Carolina on this 22nd day of November 2023, by **CERTIFIED MAIL, E-RETURN RECEIPT REQUESTED**, appropriate postage affixed, and a return address clearly indicated on said envelope.



Rachael O'Bryan, Administrative Assistant
State Ethics Commission (803) 253-4192

Columbia, South Carolina

STATE OF SOUTH CAROLINA)
 COUNTY OF RICHLAND)
)
 IN THE MATTER OF:)
 COMPLAINT C2021-110)
)
 William Young)
 Complainant,)
)
 Alex Cavazzoni,)
 Respondent.)
 _____)

BEFORE THE STATE ETHICS COMMISSION

CONSENT ORDER

This matter comes before the State Ethics Commission (Commission) by way of a Complaint filed on November 12, 2021. Pursuant to Section 8-13-320(10)(i) of the South Carolina Ethics, Government Accountability, and Campaign Reform Act (Ethics Act), the Complaint against Alex Cavazzoni (Respondent) was considered by the Commission and probable cause was found to warrant an evidentiary hearing. Prior to the call of the case, Respondent agreed to the following:

STATEMENTS OF FACT

1. Respondent was an unsuccessful candidate for Mayor of Walterboro in a November 2, 2021 election.
2. Respondent failed to file a Pre-Election Campaign Disclosure Report (CDR) prior to the November 2, 2021 election.
3. In a March 21, 2022 certified letter, the Commission notified Respondent of his failure to file a 2021 Pre-Election CDR and assessed a \$100.00 late-filing penalty pursuant to Section 8-13-1510 of the Ethics Act.
4. The March 21, 2022 certified letter was delivered to Respondent’s address of record on March 28, 2022.
5. In response to the Commission’s letter, Respondent paid the \$100.00 late-filing penalty, but

still did not file the 2021 Pre-Election CDR.

6. On June 30, 2022, the Commission notified Respondent via first-class letter that he had still not filed his 2021 Pre-Election CDR.
7. On August 19, 2022, Respondent filed his 2021 Pre-Election CDR disclosing no contributions or expenditures therein.
8. During the investigation into the Complaint, a Commission Investigator attempted to contact Respondent on multiple occasions. On May 23, 2023, the last attempted contact, a Commission Investigator traveled to Respondent's business and left a business card.
9. On May 30, 2023, Respondent contacted the Commission Investigator. Respondent advised that he had filed his 2021 Pre-Election CDR on August 19, 2022. Respondent further informed the Investigator that he self-funded his campaign in the amount of \$1,209.40. The \$1,209.40 spent by Respondent encompassed three (3) separate expenditures for media, signs, and the filing fee. Respondent acknowledged he did not open a campaign bank account during his campaign.
10. With the assistance of Commission staff, Respondent subsequently amended his Pre-Election CDR disclosing the aforementioned contributions and expenditures.

CONCLUSIONS OF LAW

Based upon the Statements of Fact, the Commission concludes, as a matter of law:

1. At all times relevant, Respondent was a "candidate" pursuant to Section 8-13-1300(4).
Therefore, the Commission has personal and subject matter jurisdiction.
2. Section 8-13-1308 provides, in relevant part:
 - (A) Upon the receipt or expenditure of campaign contributions or the making of independent expenditures totaling an accumulated aggregate of five hundred dollars or more, a candidate or committee required to file a statement of organization pursuant to Section 8-

13-1304(A) must file an initial certified campaign report within ten days of these initial receipts or expenditures. However, a candidate who does not receive or expend campaign contributions totaling an accumulated aggregate of five hundred dollars or more must file an initial certified campaign report fifteen days before an election.

...

- (F) Certified campaign reports detailing campaign contributions and expenditures must contain: (1) the total of contributions accepted by the candidate or committee; (2) the name and address of each person making a contribution of more than one hundred dollars and the amount and date of receipt of each contribution; (3) the total expenditures made by or on behalf of the candidate or committee; (4) the name and address of each person to whom an expenditure is made from campaign funds, including the date, amount, purpose, and beneficiary of the expenditure.

3. Section 8-13-1312 provides, in relevant part:

... expenses paid on behalf of a candidate or committee must be drawn from the campaign account and issued on a check signed by the candidate or a duly authorized officer of a committee. All contributions received by the candidate or committee, directly or indirectly, must be deposited in the campaign account by the candidate or committee within ten days after receipt. All contributions received by an agent of a candidate or committee within must be forwarded to the candidate or committee not later than five days after receipt ...

4. Section 8-13-1510(A) provides:

Except as otherwise specifically provided in this chapter, a person required to file a report or statement under this chapter who files a late statement or report or fails to file a required statement or report must be assessed a civil penalty as follows: (1) a fine of one hundred dollars if the statement or report is not filed within five days after the established deadline provided by law in this chapter ...

5. Section 8-13-320 allows the Commission to assess a \$2,000.00 civil penalty for each violation of the Ethics Act.
6. Section 8-13-130 allows the Commission to “levy an enforcement or administrative fee on a person who is in violation” of the Ethics Act.

DISCUSSION

The Commission found probable cause to charge Respondent with one (1) count of violating Section 8-13-1308 for failing to file a 2021 Pre-Election CDR and one (1) count of failing

to use a campaign bank account in violation of Section 8-13-1312.¹ Through this Consent Order, Respondent admits he violated the Ethics Act in each of these instances. In mitigation, Respondent states 2021 was his first time running for public office and that he was unaware of the filing requirements. Respondent further states that he did not understand that he was required to disclose money spent from his personal funds when he initially filed his 2021 Pre-Election CDR. Respondent states, and the Commission acknowledges, that Respondent has paid the initial \$100.00 late-filing penalty associated with his failure to timely file the 2021 Pre-Election CDR.

DISPOSITION

1. The Commission hereby finds Respondent in violation of (1) count of Section 8-13-1308 and one (1) count of Section 8-13-1312.
2. The Commission hereby adopts the Statements of Fact, Conclusions of Law, Discussion, and Disposition as agreed upon by the Respondent.

THEREFORE, the Commission hereby issues a Public Reprimand and orders the Respondent to pay the Commission, within three (3) months from receipt of this Order, a reduced civil penalty of \$300.00 for failing to open a campaign bank account in violation of Section 8-13-1312, and an administrative fee of \$200.00, for a total of \$500.00. The Commission declines to assess any late-filing penalties related to the 2021 Pre-Election CDR given that Respondent has already paid the initial \$100.00 late-filing penalty assessed pursuant to Section 8-13-1510(A) of the Ethics Act.

By executing this Consent Order, Respondent understands that he is not only admitting to

¹ The Commission also found probable cause to believe Respondent violated Section 8-13-1308(F) when he failed to disclose the contributions and expenditures as referenced herein. Because Respondent is now in compliance and because Respondent is also charged with failing to file the correspondent Pre-Election CDR, the Commission declines to proceed on counts related to Respondent's failure to disclose.

violations of the Ethics Act, but also confessing to a judgment of \$500.00 (less any money paid to the Commission) in the event he does not make full and timely payment as provided for in this Order. In that event, the Commission shall file a Judgment against Respondent in the Clerk of Court's Office in the County of Respondent's last known residence. Upon said filing, the Clerk of Court shall enter this Order in the amount of \$500.00 (less any money paid to the Commission) in its Judgment Rolls, without cost to the Commission.

AND IT IS SO ORDERED THIS 25th DAY OF February 2024.

STATE ETHICS COMMISSION


SCOTT E. ERICK, CHAIR


ALEX CAVAZZONI
RESPONDENT