

1980 WL 121101 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 18, 1980

*1 Edward B. Latimer, Esquire
Assistant Greenville County Attorney
14A Court House Annex
Greenville, South Carolina 29601

Dear Mr. Latimer:

You have requested an opinion from this Office as to whether or not the Greenville County Council may establish rules requiring a two-thirds or three-fourths majority vote council for the passage of ordinances. In my opinion, such rules are permissible so long as they do not conflict with general law.

[Section 4-9-120, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, providing for the method of enacting ordinances by county councils, does not require that ordinances be adopted by any specified affirmative vote. Instead, [Section 4-9-110 of the Code](#) provides in part:

The Council shall determine its own rules and order of business.

Therefore, in the absence of statutory directive to the contrary, it would appear that a county council has the authority to require more than a simple majority vote for the enactment of ordinances. Such is often the case where appropriations are concerned. See, 15 McQUILLAN MUNICIPAL CORPORATIONS, § 39.66 (3rd ed.).

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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