



ALAN WILSON
ATTORNEY GENERAL

July 31, 2025

The Honorable Shane Martin, Member
South Carolina Senate
PO Box 142
Columbia, SC 29202

Dear Senator Martin:

You seek the opinion of this office as to whether the proposed relocation or demolition of a clock tower in the city of Spartanburg would violate the Heritage Act. By way of background, you explain:

The clock tower in Spartanburg was a project of the local Bicentennial Committee in 1976. Mayor Bob Stoddard chaired the committee and sought to engage the children in the community in the project. In all, approximately 20,000 children raised approximately \$10,000 towards the tower's construction. The clock tower's dedication ceremony included Mayor Stoddard presiding in a Revolutionary War uniform and recognition that the tower's purpose was to celebrate and remember the sacrifices our State and nation made in furtherance of our forging our independence.

You note the clock tower was erected "to remind us of the importance of the Revolutionary War to our State's and nation's history" and expressed your concern that if City Council votes to relocate or demolish the tower, "we will lose an important monument to the Revolutionary War just as we are preparing to celebrate our 250th Anniversary of that war."

Law/Analysis

The Heritage Act protects certain monuments and memorials located on public property from being "relocated, removed, disturbed, or altered." S.C. Code Ann. § 10-1-165(A) (Rev. 2011). The Heritage Act also protects streets, bridges, structures, parks, preserves, reserves, or other public areas "dedicated in memory of or named for any historic figure or historic event" from being renamed or rededicated. *Id.* "If a particular monument or memorial is encompassed within the Heritage Act's protections – a fact-specific inquiry – there can be no removal or alteration thereof without the Legislature's consent through an act of the General Assembly. . . ." *Op. S.C. Att'y Gen.*, 2020 WL 3619620 at *1 (June 25, 2020). Assuming the clock tower erected by the

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Bicentennial Committee in Spartanburg is protected by the Heritage Act, only the General Assembly may lift those protections.

Conclusion

Whether a particular monument or memorial is protected by the Heritage Act is a question of fact. Assuming the clock tower with its storied history as outlined in your letter is protected, only the General Assembly may amend or repeal the Heritage Act to lift those protections.

Sincerely,



Sabrina C. Todd
Assistant Attorney General

REVIEWED AND APPROVED BY:



Robert D. Cook
Solicitor General