



The State of South Carolina  
OFFICE OF THE ATTORNEY GENERAL

CHARLES MOLONY CONDON  
ATTORNEY GENERAL

July 10, 1997

Cecil Kimrey, Town Administrator  
Town of Pageland  
126 North Pearl Street  
Pageland, South Carolina 29728

Re: Informal Opinion

Dear Mr. Kimrey:

Thank you for your recent letter inquiring whether an individual may serve simultaneously as a county magistrate and a municipal codes enforcement officer.

This Office has determined on numerous occasions that an individual who serves as a magistrate would hold an office for dual office holding purposes. For examples, see Ops. Atty. Gen. dated July 8, 1991; April 5, 1991; and March 23, 1987. More recently, in an opinion dated April 9, 1997, this Office concluded that an individual who served as an Aiken County Code Enforcement Officer would be considered an officer for dual office holding purposes. Therefore, since this Office has previously opined that the positions of county magistrate and code enforcement officer are both considered officers for dual office holding purposes, if an individual simultaneously serves as both, Article XVII, Section 1A of the State Constitution would be violated.

This letter is an informal opinion only. It has been written by a designated Deputy Attorney General and represents the position of the undersigned attorney as to the specific questions asked. It has not, however, been personally scrutinized by the Attorney General nor officially published in the manner of a formal opinion.

With kindest regards, I remain

Very truly yours,

Zeb C. Williams, III  
Deputy Attorney General

ZCW,III/an