

# The State of South Carolina



## Office of the Attorney General

**T. TRAVIS MEDLOCK**  
ATTORNEY GENERAL

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September 10, 1990

R. Allen Young, Esquire  
Town Attorney  
Town of Mount Pleasant  
Post Office Box 745  
Mount Pleasant, South Carolina 29465

Dear Allen,

I am in receipt of your recent letter. You have stated that one of the members of the Waterworks Commission recently died. You have stated that it is your understanding that pursuant to the provisions of South Carolina Code of Laws, 1976, Section 5-31-240 the mayor and council would fill this vacancy and have inquired if I agree.

Section 5-31-240 provides in pertinent part that

[t]he mayor of the city ... shall notify the persons ... elected as members of the commissioners of public works ... . The mayor and aldermen or council of the city or the mayor or intendant and the council or wardens of a town shall fill any vacancy occurring in the commission by appointment for the unexpired term.

The statute clearly states that the Commission members will be replaced by appointment made by the municipal governing body.

Very truly yours,

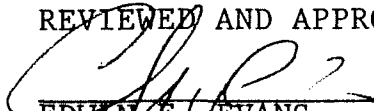
A handwritten signature in black ink, appearing to read "Treva".


Treva G. Ashworth  
Senior Assistant Attorney General

TGA:bvc

R. Allen Young, Esquire  
September 10, 1990  
Page 2

REVIEWED AND APPROVED BY:

  
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EDWIN E. EVANS  
Chief Deputy Attorney General

  
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