

1983 WL 182002 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 15, 1983

***1 Re: City of Bamberg Board of Public Works**

William S. Kemp, Esquire
North Main Street
Bamberg, South Carolina 29003

Dear Mr. Kemp:

This is in reply to your letter of August 11, 1983, asking about the applicability of [§ 11-35-50, Code of Laws of South Carolina](#), 1976 (as amended) to the Board of Public Works in the City of Bamberg. The Board was established pursuant to § 5-31-210, supra. It is our opinion that the Board of Commissioners should follow the procurement policy of the City of Bamberg as required by [§ 11-35-50](#).

This opinion is based on the case of [Simons v. City Council of Charleston](#), 181 S.C. 353, 356, 187 S.E. 545, 546 (1936). That case held that the Board of Commissioners is an agency of the city or town. Since it is an agency of the municipality, it should be governed by the procurement policy of the municipality of which it is an agent.

Sincerely yours,

David C. Eckstrom
Assistant Attorney General

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