

1981 WL 158176 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 10, 1981

*1 Cary S. Griffin, Esquire
Attorney at Law
Post Office Box 5666
Hilton Head Island, South Carolina 29928

Dear Mr. Griffin:

In response to your request for an opinion from this Office regarding annexation procedures for the Broad Creek Public Service District (District), my opinion is that the District can refuse to annex property if water and sewer services are not available to that property inasmuch as the purpose for which annexation is sought cannot be met, i.e., District services cannot be provided. Inasmuch as the statute states that contiguous property 'shall' be added upon the written petition of the property owner [57 STAT. 3405 at 3414 (1972)], I doubt that the District can refuse to annex for any reason other than an inability to supply water and sewer services. Finally, as you know, the Beaufort County Council on petition by the District or on its own action can alter the size of the District service area pursuant to [Sections 6-11-410 et seq., CODE OF LAWS OF SOUTH CAROLINA, 1976](#), as amended.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

1981 WL 158176 (S.C.A.G.)

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.