

1981 WL 158173 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 4, 1981

*1 Honorable Melvin Ernest Nunnery
Member
House of Representatives
530-C Blatt Building
Columbia, South Carolina 29211

Dear Representative Nunnery:

In response to your request for an opinion from this Office regarding whether or not a referendum must be conducted before a municipal governing body can agree to the creation by the county of a special tax district for water and sewer services within the municipality pursuant to [Section 4-9-30\(17\), CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, my opinion is that a referendum must be conducted because Article VIII, Section 16 requires all cities and counties to hold a referendum before establishing and operating gas, water, sewer, electric, transportation or other public utility systems and plants.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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