

1981 WL 157871 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

July 20, 1981

*1 Roy McBee Smith, Esquire
Spartanburg County Attorney
Suite 415 Montgomery Building
Post Office Box 5306
Spartanburg, South Carolina 29304

Dear Mr. Smith:

In response to your request for an opinion from this Office regarding an opinion dated June 25, 1981, which you issued as Spartanburg County Attorney to a member of the Spartanburg County Council, I can advise you that I agree with that opinion. Although Section 15-10 of the Spartanburg County Code provides that the director of the county highways division is to report to the Spartanburg County Council within thirty days any improvements made to property owned by governmental agencies other than Spartanburg County, I agree that the County Administrator should do the reporting in view of the provisions of [Section 4-9-660, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended. With regard to the County Administrator's authority 'to direct and coordinate operational agencies and administrative activities of the county government' [[§ 4-9-630\(3\), CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended], that authority would not empower him to disregard or supersede mandatory provisions of an ordinance such as Section 15-10.

I am enclosing copies of earlier opinions which you may find of interest with respect to the duties and powers of the county administrator under [Sections 4-9-610 et seq., CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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