

1981 WL 157977 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

September 23, 1981

\*1 The Honorable James T. Funderburk  
Mayor  
City of Chester  
100 West End Street  
Chester, South Carolina 29706

Dear Mayor Funderburk:

Attorney General McLeod has referred your letter of September 15, 1981, to me for reply. As I understand it, your question concerns the responsibility of the City of Chester with regards to the provision under [Section 16-11-760 of the South Carolina Code](#) concerning the towing of vehicle illegally parked upon private property. Obviously, the police department cannot force a towing company to remove a vehicle, and this provision of the statute is more designed to provide an 'immediate' remedy to the problem, placing all costs upon the owner of the illegally parked vehicle.

However, the parking of a vehicle on private property in violation of the terms of [Section 16-11-760](#), is unlawful, and obviously it is the responsibility of the police to enforce the law. Further if there are any other State laws, or city ordinances, which regulate parking on private property, the police could enforce them through the provisions of Section 23-1-15. It is also conceivable that a violation of Section 16-11-620 may be involved in this situation.

I hope this letter has been of some assistance to you, and if I can be of any further assistance, please do not hesitate to contact me.  
Sincerely yours,

John M. Barton  
Assistant Attorney General

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