

1977 S.C. Op. Atty. Gen. 178 (S.C.A.G.), 1977 S.C. Op. Atty. Gen. No. 77-239, 1977 WL 24581

Office of the Attorney General

State of South Carolina

Opinion No. 77-239

August 2, 1977

\*1 Mr. Francis K. Sullivan

Executive Secretary

Office of the Charleston County Legislative Delegation

Post Office Box 487

Charleston, South Carolina

Dear Mr. Sullivan:

In your letter of July 27, 1977, you requested the opinion of this Office as to whether the Mayor and Alderman, who serve as members of the Charleston Commission of Public Works, have the power to vote along with the other Commissioners when making Commission decisions. An opinion regarding this matter was issued by the Attorney General on June 28th of this year which stated that, even though these two officers serve on the Commission by virtue of their offices, *i.e.*, ex officio, they may still exercise the same powers as the other Commissioners. I am enclosing that opinion. See also, Opinion No. 1311, 1962 Op. Att'y. Gen. 72 (April 18, 1962).

You also inquired as to whether it is mandatory that a commissioner be elected every two years. In our opinion, it is. See, CODE OF LAWS OF SOUTH CAROLINA, § 5-31-210 (1976).

At each general election for municipal officers following the expiration of the term of the commissioner holding the short term and at every such election every two years thereafter, one such commissioner shall be elected for a term of six years . . . (Emphasis added).

Sincerely,

C. Tolbert Goolsby, Jr.

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