

1978 WL 35079 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 23, 1978

*1 Honorable Robert R. Woods
Representative
District No. 109
State House
Columbia, South Carolina 29202

Dear Representative Woods:

I am in receipt of your recent letter. You have asked if Charleston County Council can call for a referendum election on method of election or if the Council could create single member districts.

In 1977, The Honorable Theodore D. Stoney, Judge of Charleston County, held in a case entitled *Hamilton v. Tillman*, Civil Action No. 77-CL-10-1059, that “ ‘method of election’ is not subject to referendum under § 4-9-10(c) ...” This case would be binding on Charleston County Council and would prohibit them from calling a referendum election on method of election. Additionally, the statutes do not grant the County Council the power to create single member districts.

Very truly yours,

Treva G. Ashworth
Assistant Attorney General

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