

1975 S.C. Op. Atty. Gen. 23 (S.C.A.G.), 1975 S.C. Op. Atty. Gen. No. 3948, 1975 WL 22246

Office of the Attorney General

State of South Carolina

Opinion No. 3948

January 27, 1975

***1 In Re: Municipal Ordinances, Prosecuting Violations**

Honorable William L. Fortner
Pickens County Magistrate
Post Office Box 466
Easley, South Carolina 29640

Dear Judge Fortner:

You have inquired whether or not the violation of a non-traffic municipal ordinance may be disposed of by a municipal court on a 'Town Summons'.

No violation of the criminal laws may be lawfully disposed of by a magistrate or municipal court, under State law or municipal ordinance, except upon issuance of an arrest warrant. [Town of Honea Path v. Wright](#), 194 S.C. 461, 9 S.E. 2d 924. Special statutes except from this rule traffic cases when uniform traffic tickets are issued, and certain wildlife violations prosecuted by wildlife officers.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

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