

1975 WL 29837 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 18, 1975

*1 Mr. Hubert E. Long
Messrs. Long, Barfield, Bouknight, Nicholson & Davis
Attorneys at Law
206 E. Main Street
Lexington, South Carolina

Dear Hubert:

The Mayor of Batesburg called me the other day and asked me some questions about his powers and I, of course, told him it would have to come from the City Attorney, which I learned was you. A law clerk in the Office checked into the matter, in any event, and finds that Batesburg, by the 1970 census, had a population of 4,036, was chartered originally on March 5, 1896, surrendered its charter on September 9, 1901, and was incorporated by the Secretary of State under Sections 47-301, et seq., of the Code. The Mayor's question seemed to be as to his powers as Mayor. He was concerned chiefly about whether he had powers as Mayor over the Police Department, Fire Department, etc., but it appears to me from looking at the statutes hurriedly that it is just as in nearly every other town not under the council-manager form of government that the power to run the town is vested in the town council as a body and that the mayor really sits as a presiding officer. I do not know whether they have any particular ordinances or anything of that nature or not. I hope you will understand that I am not intruding into your jurisdiction but just pass this on for what it is worth.

With best wishes,
Cordially,

Daniel R. McLeod
Attorney General

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