

1975 WL 28840 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 12, 1975

***1 Re: Sunday Sales Law—Pet Shops**

Honorable Frank Powell
Sheriff
Office of the Sheriff
Richland County
1400 Huger Street
Columbia, South Carolina 29201

Dear Sheriff Powell:

You have requested an opinion of this office regarding pet shops remaining open on Sundays.

Section 64-2 of the 1962 Code of Laws of South Carolina, as amended, generally prohibits the operation of commercial establishments on Sundays. Certain specific exceptions to that rule are listed in Section 64-2.1.

It has been said that Sunday operation is permitted only when (1) the only items sold or offered for sale are specifically permitted by Section 64-2.1, or (2) if not enumerated in Section 64-2.1, the items sold or offered for sale constitute a part of a work of necessity or charity. [State v. Solomon, 245 S.C. 550, 141 S.E. 2d 818 \(1965\)](#).

Since a pet shop is a commercial establishment whose items being sold or offered for sale are not specifically exempted by Section 64-2.1 from the application of the Sunday Sales law, and furthermore, since the opening to the public of a pet shop on Sunday cannot be considered a part of a work of necessity or charity, it is clear that such an establishment is included within the general prohibition against Sunday commercial operations.

Therefore, it is the opinion of this office that the opening of pet shops on Sunday is prohibited.

Very truly yours,

Richard P. Wilson
Staff Attorney

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