

1975 WL 29593 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

March 18, 1975

\*1 Mr. James Verner  
Harley & Verner  
Attorneys at Law  
Parr Building  
P. O. Box 484  
Newberry, South Carolina 29108

Dear Mr. Verner:

In your March 5, 1975 letter, you posed the question as to whether a municipal building inspector may search private property pursuant to the proposed ordinances of the City of Newberry adopting a Housing Code Compliance Program Schedule. At the outset I might point out that the use of the word search in your letter was a source of confusion for me at first glance. In the context of your proposed program an inspection can hardly be equated to a search. In any case, the cases tend to adopt the view that reasonable inspections of private property may be had in furtherance of municipal fire, health, or housing inspection programs. I take it that the proposed ordinance was adopted pursuant to Sections 14-400.581, Code of Laws of South Carolina, 1962, as amended. Be that as it may, it would appear that the City of Newberry may enforce the ordinance so long as the inspections are reasonable and serve some valid public interest. See [Camara v. Municipal Court of the City and County of San Francisco, 387 U.S. 523, 18 Led.2d 930, 875 Ct. 1727, \(1967\)](#). The foregoing views are not intended to reflect the opinion of this Office concerning the above matter but is offered for informational purposes only.

Sincerely,

Herman L. Moore  
Law Clerk

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