

1975 WL 28897 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 6, 1975

***1 Re: Oconee County Animal Shelter**

The Honorable Cecil T. Sandifer
Member
House of Representatives
State House
Columbia, South Carolina

Dear Mr. Sandifer:

You have requested an opinion from the Office as to whether or not Oconee County can build and support a county animal shelter. It is the opinion of this Office that Oconee County does have statutory authority to build and support such a shelter.

Oconee County operates under the County Council form of government. 57 STAT. 1047 (1971), 58 STAT. 4 (1973). Pursuant to Section 8(8), 57 STAT. 1047 at 1050, the Oconee Council has the authority 'to provide within the county special services which are considered necessary to public health, welfare, and safety, . . .'. As of January 1, 1975, all duties of the Oconee County Board of Commissioners devolved upon the County Council. 58 STAT. 4.

Pursuant to Article 10, § 6 of the Constitution of South Carolina, 'quarantine' is one of the purposes for which the Legislature can authorize a county to levy a tax. By authorizing the County Council to offer services necessary to protect public health, welfare and safety, the Legislature has authorized Oconee County to provide for the public health through quarantine of animals, which is the essential function of an animal shelter.

Yours very truly,

M. Elizabeth Crum
Assistant Attorney General

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