

1975 WL 28969 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 30, 1975

*1 Barry W. Knobel, Esquire
Post Office Box 1046
Anderson, SC 29621

Dear Mr. Knobel:

Attorney General McLeod has referred your letter of June 19, 1975, to me. As you indicated, this Office has often stated that the position of city attorney is ordinarily an employment rather than an office (e.g., 1972 Ops. Atty. Gen. 206). Thus, if the position of City Attorney for Honea Path was not created by ordinance or statute, and if the City Attorney has no independent authority to exercise the sovereign function of prosecution, it would not be an 'office' within the meaning of Art. 17, Sec. 1A.

Yours very truly,

Kenneth P. Woodington
Staff Attorney

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