

1974 WL 27812 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 10, 1974

***1 In Re: Trash Deposited On or Along Highways**

Honorable James R. Metts
Sheriff
Lexington, South Carolina

Honorable Charles S. Coleman
County Engineer
Lexington, South Carolina

Gentlemen:

Inquiry has been made as to whether or not it is a violation of State law for a person to deposit trash alongside trash depositories located on highway rights-of-way.

Section 16-396, 1962 Code of Laws of South Carolina, as amended, reads in part:

'It shall be unlawful for any person without written permission to dump or leave trash, refuse or garbage - - - on or along any - - - public highway - - -.'

The penalty for violation of this section is not less than \$50 nor more than \$200 or imprisonment for not more than 30 days. The statute specifically places violations of this section within the jurisdiction of magistrates' courts.

In view of the foregoing, it is the opinion of this Office that the placing of trash on or along a highway is violative of the subject section, even though the trash is placed near or alongside trash receptacles.

Yours very truly,

Joseph C. Coleman
Deputy Attorney General

1974 WL 27812 (S.C.A.G.)

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.