

1974 WL 27459 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 24, 1974

\*1 Robert A. Ivey  
1247 M. Avenue  
Cayce, South Carolina 29033

Dear Mr. Ivey:

You have requested that this Office advise you as to whether an individual may hold office as a councilman for a municipality operating under the Council-Manager form of government while he is publicly employed by the city, county or State.

This question is clearly answered by referring to Section 47-699.23, Code of Laws of South Carolina, 1962, which states: Councilmen shall be qualified electors of the city and shall hold no other public office or public employment with the city county or State, except that of notary public, appointed school board member or member of the National Guard or other Federal military reserve.

Under the basic rule of statutory construction which states that statutes must be given their plain meaning if at all possible, it is clear that § 47-699.23, precludes an individual from being qualified to serve as councilman under the Council-Manager form of government while he is publicly employed by the city, county or State.

I trust this has been sufficient in answering the question which you posed. If I may be of any further assistance, please do not hesitate to call or write.

Very truly yours,

Timothy G. Quinn  
Senior Assistant Attorney General

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