

1973 WL 26609 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

February 12, 1973

*1 James Verner, Esquire
City Attorney
Post Office Box 484
Newberry, South Carolins 29108

Dear Mr. Verner:

You have requested that this office advise you as to what effect the repeal of the zoning ordinance adopted by the City of Newberry on January 16, 1973, would have on the zoning laws for the City of Newberry.

It is noted that the City of Newberry operated under a municipal zoning code prior to January 16, 1973, at which time the present ordinance was adopted and expressly repealed the prior ordinance.¹ The effect of the repeal is as if the prior ordinance has been blotted out completely and has never existed. [McGlohon v. Harlan](#), 254 S.C. 207, 174 S.E.2d 753.

This being the case should the present zoning ordinance be repealed, it is the opinion of this office that the City of Newberry will be without any zoning ordinance until such time as another can be adopted pursuant to municipal ordinance.

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

Very truly yours,

Timothy G. Quinn
Senior Assistant Attorney General

Footnotes

- ¹ § 1302 All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this ordinance full force and effect.

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