

1972 S.C. Op. Atty. Gen. 87 (S.C.A.G.), 1972 S.C. Op. Atty. Gen. No. 3283, 1972 WL 20427

Office of the Attorney General

State of South Carolina

Opinion No. 3283

March 15, 1972

*1 A land surveyor is legally qualified to perform a topographical survey.

TO: Secretary

S. C. State Board of Engineering Examiners

You have requested that this office render an opinion as to the legality of land surveyors performing topographical surveys.

The practice of land surveying is defined in Section 56–71(6) of the 1962 Code of Laws of South Carolina as, Includes the surveying of areas for their correct determination and description and for conveyancing or for the establishment or re-establishment of land boundaries and the platting of lands and subdivisions thereof.

For a land surveyor to legally perform a particular function, that function must come within the wording of the above referenced statute.

A review of the case law regarding surveying indicates that topographical surveys do come within surview of a land surveyor. Surveying has been judicially delined in the case of [State, ex rel. Landis v. Ward](#), 117 Fla. 585, 158 So. 273, as, The operation of finding and delineating contour, dimensions, positions, topography, etc., as of any part of the earth's surface.

This definition was reinforced by the later case of [Gehrig, Hoban and Company v. U. S. Customs Court](#), 293 F. Supp. 433, 437, which states,

Surveying is the science of determining the positions of the points on the earth's surface for the purpose of making graphic representation of the area, and it is not limited to land measuring alone.

These judicial constructions of ‘surveying’ applied to this State's statutory language indicates that the performance of topographical surveys is authorized and permitted as being within the category, ‘area determination and description,’ as set forth in Section 56–71(8) (supra.).

It is therefore the opinion of this office, based upon the foregoing authorities and reasoning, that a land surveyor is legally qualified to perform topographical surveys.

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