

1982 WL 189321 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 10, 1982

*1 Honorable Carl V. Barrs, Sr.
Municipal Judge
City of Goose Creek
Post Office Box 236
Goose Creek, South Carolina 29445

Dear Judge Barrs:

Your letter to Mr. McLeod dated March 30, 1982, has been referred to me for reply. You have asked whether persons who violate statutes pertaining to city water lines, which lines extend both within and without the municipal limits of the City of Goose Creek, may be prosecuted in the municipal court for violations of those sections.

It is apparently the general rule that where a municipality has been granted a power to go beyond its boundaries to perform some duty, it may be inferred that the police power necessary to the proper execution of such power exists co-extensive with the power. 6 McQuillin, *Municipal Corporations*, § 24.57. There is no reason to think that this general rule would not apply in South Carolina. The [Code, § 5-31-1520](#), clearly provides for the extraterritorial extension of city water lines, and for the reasons stated above, it is the opinion of this office that the police power over those water lines accompanies the extension and that water-related violations may be tried in municipal court.

Sincerely yours,

Kenneth P. Wodington
Senior Assistant Attorney General

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