

1980 WL 120955 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

October 30, 1980

*1 Chief R. L. White
Piedmont Park Fire Department
Route 12, State Park Road
Greenville, South Carolina 29609

Dear Chief White:

In response to your request for an opinion from this Office concerning the meaning of [Sections 23-9-30 and 23-9-70, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, my opinion is that [Section 23-9-30](#) places in the State Fire Marshall the discretion to decide whether or not to authorize any deputy State fire marshal or resident fire marshal within his service area to exercise and discharge the powers and duties vested in him as State Fire Marshal. If the State Fire Marshal has in fact so authorized a resident fire marshal, that resident fire marshal is required to exercise the authority and perform the duty imposed in [Section 23-9-70, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, i.e., to cause a written order to be issued directing any defect discovered pursuant to his examination as provided in [Section 23-9-50, CODE OF LAWS OF SOUTH CAROLINA](#), 1976, as amended, to be removed or remedied.

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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