

1976 WL 30783 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 17, 1976

\*1 Representative Irene K. Rudnick  
P. O. Box 544  
Aiken, South Carolina

Dear Representative Rudnick:

In response to your request for an opinion as to Aiken County Ordinance No. 76-6 dealing with the Aiken County Public Service Authority, on June 16, 1976, the South Carolina Supreme Court issued its opinion in Murphree v. Mottel, et al. (Opinion No. 20244), the election held on November 5, 1974, on the question of Aiken County's acquisition of the Horse Creek Basin Wastewater Treatment Facility was invalid and that, before Aiken County can proceed with the acquisition of that facility.

. . . it must obtain a favorable vote, now required by the constitution, at the instigation of the county governing body after appropriate legal notice and publication.

Ordinance No. 76-6 cannot be implemented, therefore, until the requirements laid down by the Court in Murphree v. Mottel are met.

With kind regards,

Karen IeCraft Henderson  
Assistant Attorney General

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