

1979 WL 43533 (S.C.A.G.)
Office of the Attorney General
State of South Carolina
August 22, 1979

*1 Honorable Richard W. Riley
Governor
State of South Carolina
State House
Columbia, South Carolina 29211

Dear Governor Riley:

In response to your request for an opinion from this Office regarding the constitutionality of an act of the General Assembly empowering the Calhoun County Council to provide by ordinance for the issuance of building or construction permits in all unincorporated areas of that County and repealing Act No. 1072 of 1966, my opinion is that the legislation constitutes local legislation prohibited by [Article VIII, Section 7 of the South Carolina Constitution](#). This type of legislation, if enacted, should be enacted by means of general law. See, [Kleckley v. Pulliam, 217 S.E.2d 217 \(1975\)](#). After January 1, 1980, the Calhoun County Council will be authorized to enact an ordinance in conflict with Act No. 1072 of 1966. See, Act No. 283 of 1975, SECTION 3 [59 STAT. 690 at 716 (1975)].

With kind regards,

Karen LeCraft Henderson
Senior Assistant Attorney General

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