

1976 WL 30897 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 14, 1976

*1 Representative Fred T. Moore
Box 505
Honea Path, South Carolina 29654

Dear Representative Moore:

You have requested an opinion from this Office as to whether or not a subdivision in Anderson County which was more than fifty (50%) per cent completed at the effective date of Regulation VI, 'Special provisions Applicable to Anderson, Oconee, and Pickens Counties,' of the South Carolina Department of Health and Environmental Control [Rules and Regulations, CODE OF LAWS OF SOUTH CAROLINA, 1962, as amended, Vol. XVII at 313 (Cum. Supp.)] is subject to that Regulation. In my opinion, it is not.

Regulation VI, 'Special Provisions Applicable to Anderson, Oconee, and Pickens Counties,' provides in part: Subdivisions, as recorded, which have been under development and unapproved by the South Carolina State Board of Health and fifty percent or less completed shall comply with the regulation. [Emphasis added.]

Our research indicates that the above-quoted Regulation was filed with the Secretary of State on August 20, 1970, at which date it became effective. An Anderson County subdivision which was more than fifty (50%) per cent completed as of August 20, 1970, is not required to comply with that Regulation.

I am returning your copy of the Regulation as you requested.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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