

1976 WL 30905 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

December 16, 1976

*1 Honorable Guy S. Blakely, Sr.
Mayor of Woodruff
Woodruff, South Carolina

Dear Mayor Blakely:

You have requested an opinion from this Office as to whether or not the phrase 'except as otherwise provided by law' which appears in Section 47-62(1), CODE OF LAWS OF SOUTH CAROLINA, 1962, as amended (Cum. Supp.), has reference to municipal ordinances as well as statutes enacted by the General Assembly. In my opinion, it does not. That proviso excepts from the authority of the mayor to appoint, suspend or remove municipal employees and appointive administrative officers whose appointment, suspension or removal is provided for by other statutes such as those employees and officers covered by the provisions of Section 47-701 et seq., CODE OF LAWS OF SOUTH CAROLINA, 1962, as amended. Moreover, a comparison of other provisions of Section 47-62 of the Code indicates that municipal ordinances are not intended to be included in the term 'law.' See, e.g., § 47-62(4), CODE OF LAWS OF SOUTH CAROLINA, 1962, as amended (Cum. Supp.).

For future reference, Mr. McLeod has instituted a policy for our Office that questions concerning either county or city matters be posed first to the county or city attorney for his advice and then, through him, to our Office if desired.

With kind regards,

Karen LeCraft Henderson
Assistant Attorney General

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