



December 30, 2025

Scott F. Slover, Esq.
Attorney, Adams County Board of Supervisors
Post Office Box 846
Natchez, Mississippi 39121

Re: Use of County-Owned Emergency Shelter

Dear Mr. Slover:

The Office of the Attorney General has received your request for an official opinion.

Background

According to your request, Adams County owns an emergency shelter through a Federal Emergency Management Agency (“FEMA”) grant. The shelter includes a shower for temporary use during declared emergencies. Based on this information, you ask the following questions.

Questions Presented

1. When there is not a declared disaster, may the county allow homeless individuals to take showers at its shelter?
2. If the answer to question one is no, may the county declare a state of emergency for the homeless to authorize them to be able to use its shelter for showers?

Brief Response

1. Yes, the county has the discretion to allow private use of a public building so long as such use “accord[s] with a uniform policy enacted by the . . . governing authorities.” MS AG Op., *Bruni* at *1 (Dec. 8, 2025) (quoting MS AG Op., *Barton* at *1 (Oct. 5, 2020)). This said, the county “must collect from the user any expenses that [it] is required to expend as a result of the . . . facility being used.” *Id.*
2. Given the answer to question one, this question is moot.

Applicable Law and Discussion

To begin, in accordance with Mississippi Code Annotated Section 7-5-25, this opinion solely addresses considerations under Mississippi law. This office is not authorized to interpret contracts or agreements or opine upon federal law, guidelines, or regulations. *See* Miss. Code Ann. § 7-5-25. We likewise may not opine upon any past actions. *Id.*

You ask if the county may allow homeless individuals to take showers at the county's shelter when there is not a declared disaster. Section 19-3-40(3) prohibits county boards of supervisors from "us[ing] any public funds, equipment, supplies or materials for any private purpose" and from "grant[ing] any donation." However, as we recently stated in *Bruni*, the county has the discretion to allow private use of a public building so long as such use "accord[s] with a uniform policy enacted by the . . . governing authorities." MS AG Op., *Bruni* at *1 (quoting MS AG Op., *Barton* at *1). This said, the county "must collect from the user any expenses that [it] is required to expend as a result of the . . . facility being used—i.e., cleaning fees or charges for utilities; otherwise, such uncompensated use would constitute a donation." *Id.*

If this office may be of any further assistance to you, please do not hesitate to contact us.

Sincerely,

LYNN FITCH, ATTORNEY GENERAL

By: */s/ Maggie Kate Bobo*

Maggie Kate Bobo
Special Assistant Attorney General