



*Lynn Fitch*  
**ATTORNEY GENERAL**  
OPINIONS AND POLICY

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