

Chapter 4

ANIMALS*

- Sec. 4-1. Definitions.
- Sec. 4-2. City declared a bird sanctuary.
- Sec. 4-3. Certain birds or animals constituting a nuisance may be destroyed by health authorities.
- Sec. 4-4. Acts deemed to be a public nuisance.
- Sec. 4-5. Keeping of wild animals.
- Sec. 4-6. Rabies control.
- Sec. 4-7. Dogs to be kept under restraint.
- Sec. 4-8. Animals in heat.
- Sec. 4-9. Impoundment of unrestrained animals.
- Sec. 4-10. Incorporation of state law on dogs and animals.
- Sec. 4-11. General penalties.

*State law references—Municipal authority to enact ordinances for care and control of dogs, cats, and other animals, S.C. Code 1976, § 47-3-20; municipal powers not limited by state laws, S.C. Code 1976, § 47-3-70.

Sec. 4-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any living thing that is not plant, either vertebrate or invertebrate.

At large means an animal that is off the property of the owner and not under the control of a competent person.

Circus means a commercial variety show featuring animal acts for public entertainment.

Owner means any person owning, keeping, having charge of, sheltering, feeding, harboring or taking care of any animal. The owner is responsible for the care, actions and behavior of his animals.

Performing animal exhibition means any spectacle, display, act or event other than circuses, in which performing animals are used, commercially or for profit. Not to include dog shows or obedience schools not for profit.

Restraint means an animal controlled by means of a chain, leash or other like device, or is sufficiently near the owner or handler to be under his direct control and obedient to that person's commands, or on or within a vehicle being driven or parked, or within a secure enclosure.

Vicious animal means any animal constituting a physical threat to human beings or other animals or attacking persons or animals without provocation or having a tendency to do any act which might endanger the safety of persons or property repeatedly.

Wild animal means any raccoon, squirrel, skunk, fox, poisonous snake, leopard, panther, tiger, lion, lynx, mountain lion or any other warm-blooded animal which can normally be found in the wild state.

(Code 1991, § 4-1; Ord. No. 01-07.01, § 4-1, 6-28-2001)

Sec. 4-2. City declared a bird sanctuary.

The territory within the corporate limits of the city is hereby designated a bird sanctuary, and it shall be unlawful for any person to kill, trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird or wild fowl nests of their eggs within the city except as authorized herein.

(Code 1991, § 4-2; Ord. No. 01-07.01, § 4-2, 6-28-2001)

Sec. 4-3. Certain birds or animals constituting a nuisance may be destroyed by health authorities.

If starlings or similar birds, squirrels, or rodents are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or

property in the opinion of the town, then in such event, the town shall seek alternatives to abate such nuisance, and if after reasonable effort, then such birds may be destroyed in such numbers and in such manner as is deemed advisable.

(Code 1991, § 4-3; Ord. No. 01-07.01, § 4-3, 6-28-2001)

Sec. 4-4. Acts deemed to be a public nuisance.

(a) It shall be unlawful for any person to keep or maintain animals within the town in such location, in such quantities or in such manner as to unreasonably disrupt or disturb the peace and quiet of any person or to interfere with the reasonable use of property or enjoyment of life by any person, or unreasonably to cause damage, destruction, detriment or impairment to public or private property or to the value thereof, or to cause unreasonable annoyance or disturbance to any other person or to unreasonably cause offense to the senses of another person by reason of noise, odor, filth, vermin or other causes.

(b) Animals kept in such manner as set out herein may be declared a nuisance and, upon a finding that such a nuisance exists, nuisance may be abated.

(c) No person shall keep or maintain an animal that barks, whines, crows or howls in excessive, continuous or untimely fashion.

(Code 1991, § 4-4; Ord. No. 01-07.01, § 4-4, 6-28-2001)

Sec. 4-5. Keeping of wild animals.

(a) No person shall keep or permit to be kept on his premises any wild or vicious animal. This section shall not be construed to apply to zoological parks, performing animal exhibitions or circuses for which a business license has been issued.

(b) No person shall keep or permit to be kept any wild animal as a pet.

(Code 1991, § 4-5; Ord. No. 01-07.01, § 4-5, 6-28-2001)

Sec. 4-6. Rabies control.

It shall be unlawful for any dog owner to fail to comply with the laws of the state relating to the control of rabies or to fail to provide any dog with a suitable collar or harness for the wearing of a rabies tag and to fail to see that the tag is worn by the dog at all times.

(Code 1991, § 4-6; Ord. No. 01-07.01, § 4-6, 6-28-2001)

State law references—Required annual inoculation of pets against rabies, S.C. Code 1976, § 47-5-60; notice to health department of animal suspected of rabies, S.C. Code 1976, § 47-5-80; metal inoculation tag required, S.C. Code 1976, § 47-5-60.

Sec. 4-7. Dogs to be kept under restraint.

All dogs shall be kept under restraint at all times by the owner.

(Code 1991, § 4-7; Ord. No. 01-07.01, § 4-7, 6-28-2001)

Sec. 4-8. Animals in heat.

Every female animal in heat shall be confined in a building or secure screened enclosure so that such female animal cannot come into contact with another animal except for planned breeding purposes which shall be conducted in a building or secure screened enclosure. (Code 1991, § 4-8; Ord. No. 01-07.01, § 4-8, 6-28-2001)

Sec. 4-9. Impoundment of unrestrained animals.

(a) Unrestrained animals shall be impounded and confined in a humane manner.

(b) The owner of an impounded animal shall pay such fees as are imposed by the town before reclaiming such animal.

(c) Any animal not reclaimed by its owner shall be placed for adoption in a suitable home or humanely euthanized.

(Code 1991, § 4-9; Ord. No. 01-07.01, § 4-9, 6-28-2001)

State law references—Impoundment of strays, S.C. Code 1976, § 47-3-40; disposition of strays, S.C. Code 1976, § 47-3-60; duty to contact owners, S.C. Code 1976, § 47-3-55.

Sec. 4-10. Incorporation of state law on dogs and animals.

Notwithstanding any provision of this chapter to the contrary, the authorized representatives of the town are empowered to enforce the provisions of state law set forth under Title 47, Chapters 1, 3, 5 and 7 of the South Carolina Code Annotated (1976). The above code sections of South Carolina Law are incorporated by reference as if fully stated herein.

(Code 1991, § 4-10; Ord. No. 01-07.01, § 4-10, 6-28-2001)

Sec. 4-11. General penalties.

The violation of any section of this chapter, including any provision of state law incorporated herein, shall be punishable as provided in section 1-12. The enforcing authority is empowered to issue a uniform summons to such violator. In addition to any fine for each offense under the provisions of this chapter, the court may also order restitution to the town for costs incurred in abating violation conditions.

(Code 1991, § 4-11; Ord. No. 01-07.01, § 4-11, 6-28-2001)