

Chapter 3
ANIMALS*

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"Cross references Nuisances generally, Ch. 11; animal noises constituting nuisances, § 11-44; horses prohibited on sidewalks, § 15-12.

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; 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; 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); state falconry permit regulations, S.C. Code Reg. 123-170.

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ARTICLE E IN GENERAL

Sec. 34. Restrictions on keeping animals other than household pets; inspection of premises and tuberculin tests.

(a) it shall be unlawful for any person to keep any animal except household pets on any premises within the town.

(b) The town or its agents shall have the right to inspect the premises or to test any such animal for tuberculin if provisions of this section are not being complied with. (Code 1979, § 3-101)

Sec. 3-2. Animals running at large.

It shall be unlawful for any person owning or having charge of any horse, mare, mule, cow, or goat to permit such animal to run at large within the town.

(Code 1979, § 3-102)

Sec. 3-3. Fowl running at large.

It shall be unlawful for any owner or person having charge of any chickens, turkeys, ducks, geese, guineas, or other fowl to permit them to run at large within the town or to keep any chickens, turkeys, ducks, geese, guineas or other fowl inside the town.

(Code 1979, § 3-103)

Sec. 3-4. Disposal of dead animals.

It shall be unlawful for any person who has possession, ownership, Or custody of any animal that may die within the town to permit such dead animal to remain within the corporate limits for a longer period than may be necessary, under the circumstances, to remove such dead animal. Under no condition shall such animal be allowed to remain longer than 24 hours.

(Code 1979, § 3-104)

Cross reference-Solid waste generally, Ch. 14.

State law reference--Disposition of dead animals and poultry, S.C. Code 1976, § 44-29-30.

Sec. 3-5. Bird sanctuary-Established.

All the territory within the territorial limits of the town shall be a bird sanctuary.

(Code 1979, § 3-106)

State law reference-Bird and game sanctuaries, preserves, etc., generally, S.C. Code 1976, § 50-11-2610 et seq.

Sec. 3-6. Same-Hunting, killing, or trapping birds.

It shall be unlawful for any person to hunt, kill, or trap any birds within the territorial limits of the town, provided that the protection of this section shall not extend to pigeons, crows, starlings, or English sparrows.

(Code 1979, § 3-107)

Secs. 3-7-3-25. Reserved.

ARTICLE II. CONTROL*

Sec. 3-26. Animal control officer; powers and duties.

The animal control officer shall have the power to enforce this article, cooperate with the health department in quarantining animals, and carry out the duties and assume the responsibilities of this article. The police department is authorized and instructed to assist the animal control officer. The animal control officer shall maintain such records as may be prescribed by the town administrator and as necessary to enforce the provisions of this article. (Ord. No. 90-9-10-D, § I, 9-10-90)

Cross reference Officers and employees, § 2-101 et seq.

Sec. 3-27. Definitions.

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

Animal means and includes one or more domestic animals of any kind and one or more domestic fowls, any species.

Ownership means any person who:

- (1) Has a right of property in an animal;
- (2) Keeps or harbors an animal, has it in his care, or acts as its custodian; or
- (3) Permits an animal to remain on or about any premises occupied by him.

Vicious dog means any dog evidencing characteristics usually associated with dogs abnormally inclined to attack or to attempt to attack other animals or persons without provocation by such other animal or person.

(Ord. No. 90-9-10-D, §§II, III, X, 9-10-90)

Cross reference Definitions and rules of construction generally, § 1-2.

Sec. 3-28. Unlawful act and public nuisance.

It shall be unlawful in the town for any animal owner or other person with custody and control of any animal to allow:

- (1) Such animal to run repeatedly at large off of property owned, rented, or controlled by him so as to constitute a nuisance or menace to the person or property of another;
- (2) An animal to molest or threaten passersby, joggers, or school children, or to chase vehicles traveling any public highway, public street, or public road;
- (3) Trespassing by an animal on school grounds;

*State law reference Municipal powers to regulate dogs running at large and adopt stricter rabies control regulations, S.C. Code 1976, § 47-3-70.

- (4) Unprovoked barking, whining, howling, or noises peculiar to other animals in a habitual manner to the continuous disturbance of any citizen, not to be interpreted to restrict barking or howling of dogs while in the process of a controlled and managed hunt on personal or consenting landowner's property.

(Ord. No. 90-9-10-11, § IV, 9-10-90)

Cross reference Nuisances generally, Ch. 11.

Sec. 3-29. Female dogs in season.

It shall be unlawful to allow a female dog in season to roam unrestrained in any area in the town. Such dog shall be confined by its owner in a building or secure enclosure, out of the sight of public view, even if breeding is planned. Such animal running at large may be captured by animal control and retained at the county pound.

(Ord. No. 90-9-10-11, § 9-10-90)

Sec. 3-30. Evidence of rabies requirements.

A valid metal rabies tag must be attached to a collar or harness and worn by dogs and cats at all times. This rabies tag must have been issued by a licensed veterinarian. Animals without tags may be picked up by the animal control officer and be taken to the animal compound for further disposition.

(Ord. No. 90-9-10-11, § VI, 9-10-90)

Sec. 3-31. Care.

No owner shall fail to provide his animal with sufficient food and water, proper shelter, and protection from the weather, humane care, and treatment.

(Ord. No. 90-9-10-11, § VII, 9-10-90)

Sec. 3-32. Fighting.

No person shall cause or instigate any dogfight, cockfight, or other combat between animals.

(Ord. No. 90-9-10-D, § VII, 9-10-90)

Sec. 3-33. Property damage.

(a) Any person whose property, such as shrubbery, flower beds, gardens, or personal property in the yard area, has been repeatedly bothered, disturbed, or defecated or urinated upon by a trespassing animal may, after informing the owner, if the owner is known, by registered mail of the trespass, capture the animal on the complainant's private property by a humane method, i.e., setting cage-type traps or other humane method of capture.

(b) If the owner of a trespassing animal is not known, the animal control officer may capture the animal by the method described in subsection (a) of this section and hold such animal in the town pound as per section 3-37. If the owner (if known), upon being notified by

the animal control officer after the first day of confinement, does not tender payment, the person complaining shall have the right to seek restitution for damages or losses through the municipal Mart.

(c) Any property owner who may find an animal on his property in the act of injuring or destroying any person or domestic animal may use means necessary to protect his person or property from injury or destruction.

(Ord. No. 90-9-10-D, § DC, 940-90)

Sec. 3-34. Owning or keeping vicious dog.

It shall be unlawful to own or keep a vicious dog within the confines of the town unless such vicious dog is securely muzzled or securely confined within such owner's or keeper's private Premises.

(Ord. No. 90-9-10-D, § XI, 9-10-90)

Sec. 3-35. Leash required.

No dog shall be permitted off the premises of the owner or the person keeping or harboring such dog, unless such dog shall be on a leash held by a person over the age of 12 years and who shall have complete control of the dog. Such leash shall not exceed eight feet in length. (Code 1979, § 3-209)

Sec. 3-36. Abandonment.

No person shall abandon any animal in the town.

(Ord. No. 90-9-10-D, § V, 940-90)

Sec. 3-37. Impoundment Adoption; fee; disposition.

(a) Any animal impounded by the town shall be detained for a period of three working days for redemption by its owner. If the owner is known, the animal shall be detained for three additional working days after the owner is notified. The animal owner shall be responsible for the payment of the board bill, rabies inoculation fee, if needed, and the town pound fee which shall be established from time to time by the town council. If the animal is not redeemed by its owner in that period, the animal, if determined by the animal control officer to be adoptable, may be picked up by the Foothills Humane Society and transferred to its facility for adoption through its spay/neuter program. The animal control officer shall be prohibited from adopting out animals impounded by him

(b) If an animal has no rabies tag attached to its collar, it may be disposed of humanely if the owner is not known and the animal is unclaimed for three working days. (Ord. No. 90-940-D, § VIII, 9-10-90)

Sec. 3-38. Same Town liability.

The town shall not be held liable for accidents, disease, or treatment of animals while confined in town pound and shall be released of all responsibilities to new owner or former owner when a pet is adopted or disposed of humanely as specified in section 3-37(a).

(Ord. No. 90-9-10-D, § VIII, 9-10-90)

Sec. 3-39. Same Interference with animal control.

(a) It shall be unlawful in the town for any animal owner to release from the traps set by the animal control officer, take out of quarantine or impoundment without proper authorization any animal, or to resist the animal control personnel engaged in the capture, quarantine, or impoundment of an animal.

(b) It shall be a violation of this article for any person to interfere with any equipment used by the animal control officer whether on private or public property.

(Ord. No. 90-9-10-D, § VIII, 9-10-90; Ord. of 5-4-87, § 3-216)

Sec. 3-40. Animals in public parks prohibited during town-sponsored or town-sanctioned events.

There will be no dogs, cats and/or other domesticated animals allowed inside any public park within the town when town-sponsored or town-sanctioned events are taking place. No dogs, cats and/or other domesticated animals are allowed on playing fields (football fields, softball fields, etc.) at any time. Individuals who bring an animal into a public park are responsible for removing their animal's feces (when applicable).

Police dogs, service dogs and/or dogs used as guides for blind persons and commonly known as Seeing Eye dogs shall be exempt from this section.

(Ord. No. 12-01-02D, 12-9-02)

Secs. 3-41-3-55. Reserved.

ARTICLE III. DOGS

DIVISION 1. GENERALLY

Sec. 3-56. Statutes at large.

This article is written with the intent to further provide for animal control. It shall not in any way be construed to conflict with any state law or municipal ordinance, but is intended to extend and further provide for animal control not provided by state law.

Sec. 3-57. Applicability of article to dogs of nonlicensing age.

All portions of this article, with the exception. of those provisions dealing with licensing and registration, shall apply to all dogs, including dogs under the licensing age of four months.
(Code 1979, § 3-215)

Sec. 3-5g. Guide dogs.

Dogs used as guides for blind persons and commonly known as Seeing Eye dogs shall be licensed and registered as other dogs provided for in this article.
(Code 1979, § 3-206)

Sec. 3-59. Penalty for violation of article.

Whoever violates any provision of this article shall be punished as provided by section 1-10 of this Code.

Sec. 3-60. Chaining or tethering dogs.

Any person owning and or controlling dogs whether vaccinated or unvaccinated, licensed or unlicensed, shall not allow said animal to be tied or chained to dog houses, or other stationary objects.

No person shall, at any time, fasten, chain, or tie any dog or cause such dog to be fastened, chained, or tied while such dog is on the dog owner's property or on the property of the dog owner's landlord, or on any property within the corporate limits of the Town of Central.

Any dogs confined within a fenced yard must have an adequate space for exercise based on a dimension of at least 150 square feet per dog. Provided, further that where dogs are kept or housed on property without a fenced yard, the owner of such dogs or persons having custody of such dogs shall provide an enclosure for such dogs meeting the 150 square feet per dog dimension. Such enclosure shall be constructed of chain link or similar type materials with all four sides enclosed and an effective latch closure. The enclosure shall be sufficient height to prevent the dog from escaping from such closure.

Nothing in this section shall be construed to prohibit owners or others walking dogs with a hand-held leash.

Licensed boarding and kennel facilities are excluded from this ordinance.
(Ord. No. 04-09-07DOGS, 6-11-07)

Secs. 3-61-3-75. Reserved.

DIVISION 2. LICENSES

Sec. 3-76. Application Generally.

All applications for dog licenses shall be made to the town clerk and treasurer and shall state the breed, sex, age, color, and markings of the dog for which a license and registration is sought; whether it is a long- or short-haired variety; and the name, street, and post office address of the owner and the person who shall keep or harbor such dog.
(Code 1979, § 3-203)

Sec. 3-77. Same Initial.

The owner of any newly acquired dog of licensing age or of any dog which attains licensing age shall make an application for a license and registration tag for such dog within ten days after such acquisition or age attainment.
(Code 1979, § 3-204)

Sec. 3-78. Proof of rabies vaccination prerequisite.

No dog shall be licensed by the town unless and until adequate proof is furnished showing that the dog has been vaccinated against rabies and that such vaccination is current.
(Code 1979, § 3-213)

Sec. 3-79. Metal tag required.

Any person who shall own, keep, or harbor a dog of licensing age shall, in the month of May and annually thereafter, apply for and procure from the town clerk and treasurer a license and official metal registration tag for each such dog so owned, kept, or harbored and shall place upon such a dog a collar or harness with the registration tag securely fastened thereto.
(Code 1979, § 3-205)

State law reference Metal inoculation tag required, S. C. Code 1976, § 47-5-60.

Sec. 3-80. Unlicensed dog wearing registration tag; violation.

Any person who shall cause or permit any unlicensed dog to wear a registration tag shall be guilty of a violation of this article.
(Code 1979, § 3-210)

Sec. 3-81. Failure or refusal to license.

Every person who shall own, keep, or harbor any dog in the town and who shall neglect or refuse to cause such dog to be licensed in the manner provided in this article on or before June 1 in each year shall be guilty of a violation of this article.
(Code 1979, § 3-207)

Sec. 3-82. Pickens County Animal Control Ordinance adopted.

The provisions of Pickens County Animal Control Ordinance No. 317 is hereby incorporated into the Town Code by authorizing the animal control officer of the county to enforce the provisions of said Ordinance 41317 **within the** corporate limits of the town. In the event should there be a conflict between the specific provisions of the Town Code and the county ordinance, then the county ordinance will take precedence over the town ordinance and shall be enforced by the county animal control officer.

(Ord. No. 11-10-03AC, 11-10-03)