

Town of Pine Ridge

2757 Fish Hatchery Road
West Columbia, SC 29172
Telephone (803) 755-2500
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IN ACCORDANCE WITH GOVERNOR MCMASTER'S EXECUTIVE ORDER ON SOCIAL DISTANCING, THERE WILL ONLY BE TEN CITIZENS ALLOWED IN COUNCIL CHAMBERS. THE MEETING WILL BE AVAILABLE LIVE ON FACEBOOK. THE PUBLIC IS ENCOURAGED TO EMAIL WRITTEN COMMENTS TO THE MUNICIPAL CLERK AT skyzer@townofpineridgesc.com

SEPTEMBER 8, 2020 REGULAR SCHEDULED TOWN COUNCIL MEETING AGENDA

Town Council Work Session

- 6:30 P.M. – 6:45 P.M. Public Hearing: Ordinance 2020-29-Lexington County Animal Control Ordinance 20-13
- 6:45 P.M. – 6:47 P.M. Review of Administrative Department Report
- 6:47 P.M. – 6:50 P.M. Review of Police Department Administrative Report
- 6:50 P.M. – 7:00 P.M. Informational Council Discussion

7:00 P.M. - Town Council Meeting

Call to Order & Invocation

Freedom of Information Act Compliance

Approval of Minutes

1. August 11, 2020 Regular Scheduled Council Meeting

Old Business

1. Estates at Indigo Bond Estimate to repair infrastructure
2. Indigo Place Bond Estimate to repair infrastructure
3. Vehicle Maintenance issues update
4. Body Camera issues update

New Business

1. Ordinance 2020-29: Adopting by Reference the Lexington County Animal Control Ordinance 20-13
2. 2020 Setoff Debt Collection Program – Finance Committee update
3. Shop with a Cop Grant update
4. Office of Highway Safety & Justice Programs – BWC Grant update
5. Pine Ridge Middle School G.O.L.D. RUSH (donation)
6. Consideration of security light at Camp Moore/Styx
7. Consideration of a new Library Box
8. Adjourn to Executive Session
 - a) Personnel matters: Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, or a person regulated by a public body or the appointment of a person to a public body. 30-4-70 (a)(1)
9. Reconvene to Regular Session
10. Possible Actions by Council in follow up to Executive Session

Citizen's Comment Time – (email to skyzer@townofpineridgesc.com)

ADJOURN

Public Hearing: Ordinance 2020-29

Adopting Lexington County Animal Control Ordinance 20-13 by reference

PUBLIC NOTICE Town of Pine Ridge

The Pine Ridge Town Council will hold a public hearing at the Town Hall on September 8th, at 6:30pm to consider Ordinance 2020-29, to adopt by reference the Lexington County Animal Control Ordinance 20-13. Copies of the proposed are available at Town Hall, located at 2757 Fish Hatchery Road or at www.townofpineridgesc.com. Public and written comments are welcome and may be submitted to the Municipal Clerk at skyzer@townofpineridgesc.com.

1-305 Appearance of citizens.

- (c) At public hearing, other than zoning, each person addressing Council may speak once for a maximum of five minutes, unless shortened or extended by the presiding officer.

Published in Chronicle: 8/13/2020

Notice posted on outdoor bulletin board: 8/20/2020

Notice emailed to residents: 8/20/2020

Notice published on Facebook: 8/20/2020

Event created on Facebook: 8/20/2020

Notice send to Media: 8/20/2020

Notice published on website: 8/21/2020

Copy of Ordinance & attachments published on website: 8/21/2020

Notice mailed to interested parties: 8/21/2020

Listed as item on TC August 11th Agenda

Mayor Pro-Tem Davis announced during the August 11th Town Council meeting

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6:47 P.M. – Town Council Meeting

CALL TO ORDER

Mayor Pro-Tem Davis called the Town Council Work Session to order at 6:47 P.M., with Councilman Dinkins and Councilman Simms present.

Staff Present: Town Administrator, Mrs. Miller and Municipal Clerk, Mrs. Kyzer and Interim Chief Silano.

6:47 P.M.– 6:49 P.M. Review of Administrative Department Reports

Written Administrative Department Reports were provided to Council for review.

Mayor Pro-Tem Davis asked Council to review reports and if there were any questions, Mrs. Miller and Mrs. Kyzer were available. Councilman Dinkins asked about the gum removed from Mrs. Miller's carpet and Mayor Pro-tem asked Council to note the submission of Mrs. Miller's report for June & July.

6:49 P.M.–6:55 P.M. Review of Police Department Administrative Reports.

Interim Chief Silano reported as follows:

- Arson of Patrol Vehicle – Request for Information sheets were sent to SLED. The Adjuster came out to inspect the vehicle and said it is totaled. Will follow-up with Town upon findings.
- Vehicle Break In's – 7 vehicle break-ins between the 27th and 28th. One (juvenile) suspect has been identified. Two other possible suspects identified. Waiting on interviews. This case is linked with LCSD break-ins the same evening. Possible suspect in larceny from Pro Fleet. Report sent to us by LCSD. They are following up on lead.

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- 18 incident reports generated
- 3 arrests made
- 37 citations
- 25 warnings

Mayor Pro-Tem Davis asked Interim Chief Silano about an item that has been on the Code Enforcement spread sheet since last year. That address was 3900 Backman Road.

Interim Chief Silano stated that the family apparently does not like us and they know what we're coming there for, so his attempts at knocking on the door to speak with someone, went unanswered. Since this is not a criminal offense, -we cannot have forced entry, we will have to catch them going in and out of the property to issue a citation. Interim Chief Silano stated that the property is better, but still not in compliance.

Mayor Pro-Tem Davis asked Interim Chief Silano how many operating cars, trucks and Tahoe's the Town has? Interim Chief Silano reported that we have 1 truck, 2 marked Impalas, and 3 marked Tahoe's. Mayor Pro-Tem Davis asked if there was enough room in the shed for all of our vehicles. Interim Chief Silano stated that the night of the arson, the truck was squeezed into the shed and that is why he moved the 2013 Impala to the gated lot at the South Congaree Police Department. Mayor Pro-Tem Davis then asked if four vehicles in the shed would be the maximum and Interim Chief Silano answered yes.

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6:55 P.M. – 6:57 P.M. Informational Council Discussion

Mayor Pro-Tem Davis noted that a copy of the new year fiscal budget report only shows the first month. Mayor Pro-Tem Davis added that there is really nothing eye catching, because it is so early, as far as revenue and expenditures.

Councilman Dinkins stated that he and Mrs. Miller are working on a survey that was sent out to Pine Ridge residents. The Lexington County Storm Water Consortium is looking for concerns that town Citizens may have about storm water issues in and around their property. Once the survey is completed, it will be posted on our Facebook page and website. Then those that meet the criteria for the Storm Water Consortium will be forwarded by the August 26th, 2020.

At this time, with nothing further to discuss, Mayor Pro-Tem Davis closed the Work Session.

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6:57 P.M. – Town Council Meeting

CALL TO ORDER

Mayor Pro-Tem Davis called the Town Council Meeting to order at 6:57 P.M., with Councilman Simms and Councilman Dinkins present.

Mayor Pro-Tem Davis also stated that Councilwoman Sturkie and Mayor Wells were not in attendance tonight. A quorum of Council existed.

Staff present: Town Administrator, Mrs. Miller, Municipal Clerk, Mrs. Kyzer and Interim Chief Silano.

INVOCATION

Councilman Simms led those assembled in prayer.

FREEDOM OF INFORMATION ACT COMPLIANCE

Mayor Pro-Tem Davis stated that public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act.

APPROVAL OF MINUTES

1. July 14, 2020 Regular Scheduled Council Meeting

Mayor Pro-Tem Davis asked Council to review the minutes and if there were any questions or comments that Mrs. Kyzer was available.

Councilman Dinkins made a motion to approve the July 14th, 2020 minutes, as submitted. Councilman Simms seconded the motion, which was unanimously approved.

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2. July 30, 2020

Special Called Council Meeting

Councilman Simms made a motion to approve the July 30th, 2020 minutes, as submitted. Councilman Dinkins seconded the motion, which was unanimously approved.

OLD BUSINESS

1. Estates at Indigo Bond Estimate to repair infrastructure

Mayor Pro-Tem Davis stated that there was not a lot of updates since last month but he had ridden by Oakhill and had seen equipment and stated that some grading had been done. He stated that he was hopeful that this project would be completed this year and not be carried over until next year.

2. Indigo Place Bond Estimate to repair infrastructure

Mayor Pro-Tem stated that the work on this project will begin once the work is completed on Estates at Indigo.

3. Vehicle Maintenance issues update

Interim Chief Silano updated Council regarding the in-car Camera issue stating that West Chatham said it is not a power/wiring issue but an internal issue with the camera system. Camera's in the two Tahoe's and Impala are outdated and finding parts from Digital Ally is almost impossible.

Mayor Pro-Tem Davis stated that in essence, the fix would be to replace the cameras.

Interim Chief Silano stated that the L3 system, currently installed in the K9 vehicle, would be a better/cheaper choice at roughly \$4,495.00 per system.

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Mayor Pro-Tem asked if the Town would be in jeopardy of any kind of violation operating with a broken camera.

Interim Chief Silano stated at this point, since all Officers have body cameras. The only issue is for DUI cases, as you cannot do a field sobriety with a body camera.

Mayor Pro-Tem Davis asked if this needed to be addressed quickly.

Interim Chief Silano answered, yes that legally it's not an issue if there is a camera on, so that audio/visual of the subject being interviewed is there. Safety wise, potentially, it is a concern.

Vehicle	Issue
Light Bar Impala	<ol style="list-style-type: none"> 1. Driver side panel loose under door; 2. Ticking noise from dash (approx 60 secs); 3. Dash Cam records but does not save
Slick Top Impala	<ol style="list-style-type: none"> 1. Camera Mount is broken
Marked Tahoe	<ol style="list-style-type: none"> 1. Tire sensor gauge is shorted 2. Dash Cam SD slot will not open as of 3/4/2020
Chief Tahoe	<ol style="list-style-type: none"> 1. In car camera display will not turn on screen, but it records; as of 3/4/2020. 2. Cage was removed & re-installed by Silano & Neeley. 3. Driver/passenger side window tint
K9 Tahoe	No issues to report as of 3/4/2020
Pickup Truck	Unknown

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4. Body Camera issues update

Interim Chief Silano stated that the grant paperwork for the Body Camera's has been submitted and we should know something by the end of the month. We currently have three working Body Camera's.

5. Memorandum of Agreement – Department of Juvenile Justice

Mayor Pro-Tem Davis stated that this is an annual agreement between the Town and South Carolina Department of Juvenile Justice (SCDJJ), where we agree to pay the per diem rate of \$50.00 per day for any juvenile that we take to the detention facility. If Council chooses not to sign the agreement, there is a possibility that the Town will be charged more.

Councilman Dinkins made a motion to approve the Memorandum of Agreement with the Department of Juvenile Justice. Councilman Simms seconded the motion, which was unanimously approved.

NEW BUSINESS

1. Donation received for PD Equipment

Interim Chief Silano stated that Paul Kirby and several other citizens made a cash donation to the PD for Equipment. Mrs. Miller informed Interim Chief Silano that a separate bank account would need to be set up.

Mayor Pro-Tem Davis stated that this was brought up to the Finance Committee to approve the creation of a separate account to provide an audit trail of the funds. Mayor Pro-Tem Davis stated that letters of appreciation should be sent to the known donors.

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2. Resolution 2020-28: Support of First Responders, Educators, Health Care Workers, Military Members and their Families of Lexington County.

Mayor Pro-tem Davis stated that Council wished to join Lexington County in thanking those who have been on the front lines during this ongoing Covid-19 pandemic.

Councilman Dinkins made a motion to approve Resolution 2020-28: Support of First Responders, Educators, Health Care Workers, Military Members and their Families of Lexington County. Motion was seconded by Councilman Simms, which was unanimously approved.

3. RFP19-02 Financial Audit Services for 2021 – option to renew for additional year.

Council discussed the option to renew or sever the relationship with the current Financial Audit Service due to the following:

- Disappointed that the final 2018/2019 fiscal audit report was submitted for approval the day before the deadline for Municipalities to submit to the State of South Carolina Treasurers Office.
- Issues from the previous audit concerning the value of the building and land, which delayed the Audit presentation from the expected October 2019 presentation.
- These issues were resolved in early February 2020.
- Sympathetic of personal health issues that began in May, which also caused a delay.
- The amount of time that had been spent on-site, there was plenty of opportunity to have the audit submitted to Council at the March meeting.
- Still waiting on the final listing of Fixed Assets for the fiscal year end of June 30, 2019.

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- Have not received final invoice for the audit services for fiscal year-end June 30, 2019.
- Have not received final invoice for the calendar year-end reports for 2019.

There was no motion to Renew the Service. Mayor Pro-Tem Davis stated that Council would be working on getting a new Financial Audit Service.

4. Upcoming Ordinance 2020-29: Adopting by Reference the Lexington County Animal Control Ordinance 20-13.

Mayor Pro-Tem Davis stated that Ordinance 2020-29 was received as information for a Public Hearing and First Reading to be held on September 8th, 2020.

Citizen's Comment Time

Mayor Pro-Tem Davis asked if anyone in attendance wished to speak during Citizen's Comment Time.

Mrs. Kyzer, Municipal Clerk, read aloud the following email dated Tuesday, August 11th, 2020, which was received by email at 2:45 P.M. from Judith Cooper-Basamania.

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Hi Susan! Here what I would like to be read at tonight's council meeting. Thank you!

Good Evening Mayor Wells, Council Members, Interim Chief Silano and Neighbors,
My name is Judith Cooper-Basamania, I reside at 1525 Coolbrook Dr. in Pine Ridge
Yes, it is me again commenting about Rental Properties.

After the July Town Council Meeting I spoke with Pro-Temp Mayor Davis and Councilman Dinkins. Our conversation was regarding my Citizens Comment from the previous meeting. I was informed that the matter of property upkeep was being looked into.

I am also aware that Councilman Sims and Viki Miller have been in contact with Lexington County regarding this.

It would be nice to know the outcome of the work between Councilman Sims, Viki and the Lexington County, as well as the Town Council concerning rental properties.

There has to be a way our Town of Pine Ridge and Lexington County can better communicate with each other. Some way the town can be informed when a property owner moves. As we are aware the property owner doesn't always inform the town. Perhaps if they property owner does a change their address, with the county, to receive their taxes; etc.? We would at least have a forwarding address. It would help cut down on MIA property owners renting their properties. In addition they could be contacted to obtain Business License, if they haven't already. Can the County share such information with us? If not...Can we work on a regulation or code with them that that would allow this?

There have been some very positive actions taken to assist with rental property issues. Especially through Code Enforcement. Interim Chief Silano has been working hard, in addition to other duties, to follow up on the many complaints coming in. Thank you Chief Silano!

The job of Code Enforcement Officer has been open for a long time. The reason being there are far too many requirement for it. Whether it has always been the same requirements or not, they need to change. Not only does the candidate required to have the ability to follow up on citizens complaints and enforce code, but the also have to

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have the knowledge to inspect new buildings. This should be 2 jobs: Code Enforcer and the other Property Inspector.

Perhaps a part time police officer could handle enforcing codes or divide complaint amongst the entire force? Once all their positions there are filled that is.

The Inspector would handle all other aspects of the job title as currently written. In addition, when a homeowner initially decides to rent their property it could be inspected to ensure all town, county and state codes are being adhered to. This way the renter is protected from renting an out of code or unsafe property. The homeowner will documented proof their property condition. This could help them in liability issues. In addition, by splitting the current Code Enforcer job requirements into 2 positions there is money to be made by the town by way of inspection and fines if the the property is not inspected.

Please consider addressing the concerns, not only of myself, but of all citizens making (or have made) complaints. We would like to hear it addressed at a Town Council Meeting in the near future.

Take you for your time.

Respectfully Submitted:
Judith Cooper-Basamania

Mayor Pro-Tem Davis asked if there was anyone else who would like to speak during Citizens Comment Time. No one in attendance chose to speak.

Mayor Pro-Tem stated that he would like to go on record that Council will make an effort to respond to Ms. Cooper-Basamania's concerns. Mayor Pro-Tem Davis stated that he is not sure the answers will be what the Citizen wants but he believes there is an obligation to respond verbally and in writing at a meeting in the near future. Mayor Pro-Tem also stated that the due diligence will be done to ensure that the information disseminated is accurate.

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Respectfully Submitted,

Susan Kyzer, Municipal Clerk

APPROVED:

Daniel D. Davis, Mayor Pro-Tem

Date

September 8, 2020
NEW BUSINESS
ITEM#1
Ordinance 2020-29
Adopting by reference the Lexington County Animal Control
Ordinance 20-13 ** First Reading

OBJECTIVE: A motion and second is needed for approval of Ordinance 2020-29 for first reading.



County of Lexington

Scotty "Scott" Whetstone
Chairman

212 South Lake Drive, Suite 601
Lexington, South Carolina 29072

Telephone: (803) 785-8103 / Fax: (803) 785-8101

July 29, 2020

The Honorable Robert M. Wells, Jr.
Mayor, Town of Pine Ridge
2757 Fish Hatchery Road
West Columbia, SC 29172

RECEIVED

AUG 03 2020

Dear Mayor Wells:

Town of Pine Ridge

We the members of Lexington County Council want to make you aware of changes to the County's Animal Control Ordinance by our body. As you are aware, the County of Lexington provides Animal Control Services inside your municipal borders by virtue of your municipality passing an ordinance adopting by reference the County's Animal Control Ordinance as well as permitting the County of Lexington's staff to enforce the Ordinance. If you wish to continue receiving these services, your municipality will need to adopt Lexington County Animal Control Ordinance 20-13 as amended.

The changes to the Ordinance are pertaining to regulation of Nuisance Cats on private property. A Nuisance Cat means if an owner/lawful user of any property notifies Lexington County Animal Services that the cat habitually trespasses upon their property and damages their property and causes an unreasonable annoyance to the property owner/lawful user while upon their property, or that harms a person or pet on public or private property.

The Nuisance Cat Process will be completed by Lexington County Animal Service and Pawmetto Lifeline. The Nuisance Cat Process will include the following:

- Type of nuisance activity the cat is exhibiting
- Identity of the owner or caregiver
- Appropriate plan of action to resolve the issue

Depending on the type of nuisance activity, the mitigation strategies to include, but not limited to sterilization (TNR), deterrent methods, and eliminating food sources or other attractions will be attempted. The Resolution Process will begin within three (3) days of the complaint and is not to exceed sixty (60) days.

Any cat that has been determined to be a Nuisance Cat may be removed from the property affected upon completion of the Nuisance Cat Process set forth by the Animal Services Director. This removal may be done by the owner/lawful user, an Animal Control Officer, or other authorized party. Unless approved by the Animal Services Director, nuisance cats will not be accepted by the Lexington County Animal Shelter until completion of the Nuisance Cat Process. Any nuisance cat impounded at the Lexington County Animal Shelter shall be subject to the provisions under Section 10-38 of the Animal Control Ordinance.

Any cat that has been impounded as a Nuisance Cat may be reclaimed by the owner upon initial impoundment. The owner must provide proof of a State Board of Health Certificate of pet Rabies Vaccination or agree to have a Rabies Vaccination administered by Animal Services staff for a fee of \$10. If the cat does not have a micro-chip implanted already, the owner must agree to have one implanted by Animal Services staff for a fee of \$10. If the cat is not sterilized, the owner must show proof of sterilization within thirty (30) days of the cat being reclaimed or provide proof of one of the exceptions to sterilization under the Ordinance. An owner may not reclaim a cat upon second impoundment until a Court Hearing where Animal Services will request the Court to determine the disposition of the cat.

Also included in this Amended Ordinance are clerical changes that clarify the purpose of certain provisions and definitions. A copy of the Amended Ordinance, and a copy the previous Ordinance indicating all changes are enclosed in this letter.

Third and Final Reading for this Amended Ordinance occurred on July 28, 2020 and is effective immediately. If you have any specific questions about the changes to the County's Animal Control Ordinance, please contact the Roy Mefford, Lexington County Animal Services Director, at 803-767-7557.

Sincerely,

Handwritten signature of Scotty "Scott" Whetstone.

Scotty "Scott" Whetstone
Chairman

Enclosures

CC: Roy Mefford, Animal Services Director

STATE OF SOUTH CAROLINA)	
)	AN ORDINANCE ADOPTING BY
COUNTY OF LEXINGTON)	REFERENCE THE LEXINGTON COUNTY
)	ANIMAL CONTROL ORDINANCE 20-13
TOWN OF PINE RIDGE)	

WHEREAS, pursuant to S.C. Code of Law §5-7-30, a municipality is authorized to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of the State of South Carolina, including the exercise of powers in relation to roads, streets, markets, law enforcement, health and order in the municipality or respecting any subject which appears necessary and proper for the security, general welfare, and convenience of the municipality or for preserving health, peace, order, and good government in it, including the authority to fix fines and penalties for the violation of municipal ordinances and regulations, and;

WHEREAS, pursuant to S.C. Code of Law §47-3-20, a municipality is authorized to enact ordinances and promulgate regulations for the care and control of dogs, cats, and other animals and to prescribe penalties for violations and;

WHEREAS, Article IV, Section §1-401(1) of the Pine Ridge Town Code, requires that Town Council shall act by ordinance to adopt legislation pursuant to public notice that was published in the Lexington County Chronicle on August 13, 2020, and;

WHEREAS, the Pine Ridge Town Council wishes to adopt, by reference, the Lexington County Animal Control Ordinance 20-13, and;

WHEREAS, the adoption of the Lexington County Animal Control Ordinance 20-13, by reference, authorizes the County of Lexington, in conjunction with the Town of Pine Ridge, to enforce the Lexington County Animal Control Ordinance within the corporate limits of the Town of Pine Ridge, and;

NOW THEREFORE, BE IT ORDERED AND ORDAINED by the Town of Pine Ridge, South Carolina, in Council duly assembled and by the authority thereof, that:

Section 1. – Lexington County Animal Control Ordinance 20-13 is adopted – Attached hereto as “Appendix F”.

Section 2. – Inconsistent Ordinances – All Ordinances inconsistent herewith are repealed and are of no force and effect.

Section 3. – Amendment of the Town of Pine Ridge Town Code, Chapter 5. Health. Article I. Animals. §5-101 Adoption of Lexington County Ordinance. The Lexington County Animal Control Ordinance 20-13 is hereby adopted by reference and shall be applicable within the town limits of Pine Ridge. The ordinance shall be enforced by the Lexington County Animal Services, in conjunction with the Town of Pine Ridge. The Lexington County Animal Control Ordinance 20-13 shall be published in a separate volume, a copy of which shall be maintained by the Municipal Clerk and filed as Appendix F to this Code. In addition, the Lexington County Animal Control Ordinance 20-13 can be found online at www.lex-co.sc.gov under the Animal Services Department.

DULY ADOPTED THIS 13th day of October, 2020 under the corporate seal of the Town of Pine Ridge.

Public Hearing: September 8, 2020
First Reading: September 8, 2020
Second Reading: October 13, 2020

Robert M. Wells, Jr.
Mayor

Attest:

Susan C. Kyzer
Municipal Clerk

Currently reads:

CHAPTER 5

**HEALTH
Article I**

Animals

§ 5-101 Adoption of County Ordinance.

The Lexington County Animal Control Ordinance 18-21 is hereby adopted by reference and shall be applicable within the town limits of Pine Ridge. The ordinance shall be enforced by the Lexington County Animal Services, in conjunction with the Town of Pine Ridge.

The Lexington County Animal Control Ordinance 18-21 shall be published in a separate volume, a copy of which shall be maintained by the Town Administrator and filed as Appendix F to this Code. In addition, the Lexington County Animal Control Ordinance 18-21 can be found online at www.lex-co.sc.gov under the Animal Services Department. (Amended 03-12-2019/2019-03)

Proposed change:

CHAPTER 5

**HEALTH
Article I**

Animals

§ 5-101 Adoption of County Ordinance.

The Lexington County Animal Control Ordinance 20-13 is hereby adopted by reference and shall be applicable within the town limits of Pine Ridge. The ordinance shall be enforced by the Lexington County Animal Services, in conjunction with the Town of Pine Ridge.

The Lexington County Animal Control Ordinance 20-13 shall be published in a separate volume, a copy of which shall be maintained by the Municipal Clerk and filed as Appendix F to this Code. In addition, the Lexington County Animal Control Ordinance 20-13 can be found online at www.lex-co.sc.gov under the Animal Services Department. (Amended 10-13-20/2020-29)



ORDINANCE 20-13

An Ordinance Amending the Lexington County Animal Control Ordinance, Chapter 10, Animals.

Whereas, it has become apparent that that the County needs to provide some regulation by the County for Nuisance cats as defined herein; and

Whereas the County desires to continue its Community Cat program with certain adjustments for Nuisance cats;

Now, THEREFORE BE IT ORDAINED that certain sections of the animal control ordinance are hereby amended as follows:

Chapter 10 - ANIMALS

ARTICLE I. - IN GENERAL

Secs. 10-1—10-30. - Reserved.

ARTICLE II. - ANIMAL CONTROL

DIVISION 1. - GENERALLY

Sec. 10-31. - 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:

Abandonment means a situation in which the owner/caretaker of a pet does not provide for humane disposal of the pet, or transfer ownership to a responsible person or who does not provide or arrange for adequate food, water, shelter and care. This section does not include the responsible release of cats participating in the Community Cat Program.

Animal means a living vertebrate creature except a homo sapien.

Animal control officer means a person employed by the county as an enforcement officer of the provisions in this article.

Animal shelter means any premises so designated by the County Council for the purpose of impounding and caring for all pets found in violation of this article or which the owner/custodian or citizen surrenders.

Attack dog means a dog that has been trained to attack persons independently or upon verbal command or hand signal.

At large means any dog that is not under restraint. Any dog not so restrained will be deemed unlawfully running at large.

Caretaker means any non-custodial party that routinely provides any community cat sustenance and allows the cat to remain on or about premises occupied by said person for a period of less than five days.

Cattery means any person engaging in the business of breeding, buying, selling or boarding of cats.

Commercial boarding kennel/cattery means any establishment for the commercial boarding, grooming, sale or training of dogs/cats for which a fee is charged. An animal hospital maintained by a licensed veterinarian as part of the practice of veterinary medicine for the treatment of animals shall not be considered a "commercial boarding kennel/cattery."

Commercial breeding kennel/cattery means any person, partnership or corporation or other legal entity that owns, keeps, harbors or is custodian of pets kept or used for stud for which a fee is charged and/or for breeding purposes for which a fee is charged for the offspring. Commercial breeding kennel/cattery shall not include:

- (1) Livestock and other farm animals used in customary and normal agricultural husbandry practices.
- (2) A fancier's kennel/cattery.

Community Cat Program means the terms of an agreement with a pet facility that maintains measures to reduce the number of stray cats within the county by trapping, neutering/spaying, ear tipping and returning the cat to the area in which it was trapped.

Community Cat - means a cat that is domesticated which lives indoors and outdoors (sometimes called free roaming) and/or a feral cat, which means a cat that is un-socialized or un-accustomed to human interaction. Domesticated cats referred to in this section may or may not be owned by a custodial party.

Custodian means any person having custody or custodial power.

Dangerous dog pet means any ~~dog pet~~ evidencing characteristics usually associated with a history or an abnormal inclination to attack other pets or persons without provocation.

Exposure to rabies means any person or pet that has been bitten by or exposed to any pet known to have been infected with rabies. The county health department or a licensed veterinarian shall make this determination.

Fancier means a person who owns or keeps three or more dogs or cats for noncommercial hunting or for breeding purposes in order to regularly participate in tracking, exhibition in shows, or field or obedience or performance trials at AKC (American Kennel Club), UKC (United Kennel Club) or CFA (Cat fancier Association) licensed shows.

Fancier's kennel means a private kennel maintained by a fancier to keep or train dogs or cats.

Guard dog means any dog that is reasonably expected to perform as a guardian of its owner/custodian and/or the property upon and within which the dog is located and is owned by a licensed security service or commercial establishment.

Hybrid means the offspring of wild animals crossbred with domesticated dogs and cats.

Kennel means any person engaging in the business of breeding, buying, selling or the boarding of dogs.

Maltreatment means the act of any person who deprives any pet of necessary sustenance or *shelter*, or inflicts unnecessary pain and/or suffering upon any pet, or causes these things to be done. This shall include failure of a pet owner to provide, or seek, medical care that would prevent unnecessary pain and/or suffering upon any pet.

Nuisance Cat— A cat shall be considered a nuisance if an owner/lawful user of any property notifies Lexington County Animal Services that the cat habitually trespasses upon their property and damages their property, causes an unreasonable annoyance to the property owner/lawful user while upon their property, or that harms a person or *pet* on public or private property.

Owner means any person who:

- (1) Has a right of property in a pet.
- (2) Keeps or harbors a pet or who has it in their care or acts as its custodian.
- (3) Permits a pet to remain on or about any premises occupied by said person for a period of five or more days.

Service dog means any dog recognized by the Americans with Disabilities Act that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Emotional support animals, comfort animals, and therapy dogs are not recognized as service dogs.

Owner Surrender means any pet the *owner* voluntarily relinquishes to Lexington County Animal Services. This includes relinquishing all rights and any information regarding the disposition of the pet.

Pet means dog or cat.

Pet shop means any person, partnership, or corporation, whether operated separately or in connection with another business enterprise or other legal entity that buys or brokers any species of animal for resale as pets.

Public nuisance means any dog found at large or making loud or objectionable sounds.

Restraint means a situation in which a dog is:

- (1) Controlled by a leash when outside the property limits of its owner/custodian whereas the dog is unable to make physical contact with, or attack, other people or animals.
- (2) Under the control and obedient to the owner/custodian's commands within the property limits of the owner/custodian.
- (3) Confined in a secure enclosure or clearly marked invisible fencing designed for confinement.

Roam free means when a community cat is allowed to travel freely and unrestrained on and about the property of the owner or care giver.

Shelter shall be defined as a structure appropriately sized for the dog to stand or lie in a normal manner. The structure must have a roof, three sides, appropriate sized opening for ingress and egress and a dry floor so as to protect the dog from the elements of weather.

Sterilized pet means any pet that has had surgery to remove the reproductive organs.

Sec. 10-32. - Commercial breeding kennels/catteries.

No person shall own or operate a commercial breeding kennel/cattery within the county without first obtaining a certificate of inspection from the Animal Services, issued pursuant to this section for which a fee of \$200.00 shall be paid for a two-year period. The inspection of commercial kennels/catteries shall be constructed, maintained and operated in compliance with the current standards and procedures promulgated by the Lexington County Animal Services and Humane Society of the United States. Anyone who owns or operates a registered kennel/cattery within the county, must agree to follow-up inspections of the registered location of the certificate of inspection. The Animal Services Director may suspend, or revoke, any certificate of inspection as a result of noncompliance with the provisions of this chapter. The fees shall be collected by Animal Services and turned over to the County Treasurer. Such fees shall go toward the cost of defraying the expense of operating the animal shelter.

Sec. 10-33. - Pet Identification.

Every owner/custodian is required to see that an identification tag is securely fastened to his or her dog's collar or harness or a microchip registered with the owner's name, phone number, and address has been implanted in the dog. The identification tag will clearly indicate the name and phone number of the owner and must be worn by the dog at all times, unless the dog, accompanied by the owner/custodian, is engaged in hunting or other activity where a collar might endanger the dog's safety.

Sec. 10-34. - Restraint and confinement.

- (a) The owner/custodian shall keep their dog under restraint at all times.
- (b) Invisible fencing must be clearly marked and labeled (i.e. sign on mailbox post, tree).
- (c) No dog shall be permitted to be on school grounds or in a shopping area or similar public place unless on a leash at all times and is under the physical control of the owner or custodian whereas the dog is unable to make physical contact with, or attack, other people or animals.
- (d) No person owning or harboring or having the care or the custody of a dangerous **dog animal** may permit the **dog animal** to go unconfined on their premises. A dangerous **dog animal** is unconfined if the **dog animal** is not confined securely indoors or confined in a securely enclosed fence or securely enclosed and locked pen or run area upon the person's premises. The pen or run area must be clearly marked as containing a dangerous animal and must be designed to prevent the entry of the general public, including children, and to prevent the escape or release of the **dog animal**. The **dog animal** must not be removed from such building or enclosure unless the **dog pet** is securely muzzled and under restraint.
- (e) Every female dog in heat shall be kept confined in a building or secure enclosure or in a veterinary hospital or boarding kennel in such a manner so as not to create a nuisance by attracting other pets.

- (f) Any person reporting a violation of this sections (a)-(e) and requesting a summons issued, must identify himself to the animal control officer or ~~and~~ must sign an animal complaint form.
- (g) It shall be unlawful for any person to keep upon their premises any dog that is deemed a public nuisance. Any person reporting a violation of section (g), must identify himself to the animal control officer and must sign a public nuisance log.
- (h) If an animal control officer observes a dog at large, they may pursue the dog animal onto private property.
- (i) The owner of every dog shall be responsible for the removal of any excreta deposited by the dog on public walks and ways, recreation areas, or private property.
- (j) No dog shall be kept on a property that the owner/custodian does not occupy on a permanent basis.
- (k) No community cat shall be permitted to roam free by an owner or caretaker, unless the cat has been spayed or neutered and has been inoculated against rabies. Any violation of section (k) will be determined based on an investigation by an animal control officer.
- (l) It shall be unlawful to be the owner or custodian of any cat impounded as a nuisance cat for the second or subsequent offenses. Anyone who attempts to reclaim a cat impounded for the second or subsequent offenses, shall be issued a summons to appear at which time the court will determine the disposition of the cat.

Sec. 10-35. - Abandonment and maltreatment.

- (a) It shall be unlawful for the owner/custodian of any pet in the county to abandon it. This section does not prohibit the responsible release of **community** cats participating in the Community Cat Program.
- (b) It shall be unlawful for anyone in the county to treat any pet in a cruel and/or inhumane manner, which is defined as *maltreatment* in Sec. 10-31 of this chapter.

Sec. 10-36. – Impoundment, **removal of nuisance cats** and voluntary owner surrenders.

- (a) Immediately after impounding any pet, the animal control officer shall make a reasonable effort to notify the owner/custodian of its impoundment and to inform the owner/custodian of the conditions whereby they can regain custody of the pet.
- (b) Any **dog or cat** pet impounded under the provisions of this article and not claimed by its owner within five business days becomes the property of Lexington County Animal Services and may be placed into an adoption program, transferred to an animal rescue organization, or humanely euthanized by Animal Services. **A litter of unidentifiable dogs or cats four months of age or younger may be turned over to any organization established for the purpose of caring for animals immediately, so long as the litter is turned over for life-saving purposes.**
- (c) Lexington County Animal Services accepts *owner surrender* dogs upon completion of the owner surrender process set forth by the Animal Services Director. Once a dog is surrendered, no information regarding the disposition will be provided.
- (d) **Any cat that has been determined to be a Nuisance Cat may be removed from the property affected upon completion of the nuisance cat process set forth by the Animal Services Director. This removal may be done by the owner/lawful user, an Animal Control Officer, or other authorized party. Unless approved by the Animal Services Director, nuisance cats will not be accepted by the Lexington County Animal Shelter until completion of the nuisance cat process. Any Nuisance Cat impounded at**

the Lexington County Animal Shelter shall be subject to the provisions under Sec. 10-38 of this article.

(e) Lexington County Animal Service does not accept *owner surrender* cats.

Sec. 10-37. - Dangerous dogs.

- (a) The Animal Services Director shall have the authority to determine if a dog is a dangerous dog. Animal Services must notify the owner/custodian of the dog in writing that the ~~dog animal~~ must be registered with Animal Services as dangerous.
- (b) The owner shall notify Animal Services if any changes occur with the following:
- (1) Ownership of the dog.
 - (2) Name, address and telephone number of a new owner/custodian, at which time Lexington County Animal Services will notify the new owner/custodian of the dangerous dog's status, and also notify the Animal Services in the jurisdiction of the location in which the dog is housed.
 - (3) Address change of the owner/custodian or any change in the location in which the dog is housed.
 - (4) Any change in the health status of the dog.
 - (5) Death of the ~~dog animal~~.
- (c) If the dog is outdoors and attended, the dog shall be muzzled, on a leash and under the control of the owner/custodian.
- (d) If the dog is outdoors and unattended, the dog must be locked in an escape-proof kennel. Minimum standards shall include the following:
- (1) Fencing materials shall not have openings with a diameter of more than two inches; in the case of a wooden fence, the gaps shall not be more than two inches.
 - (2) Any gates within such pen or structure shall be padlocked and of such design to prevent the entry of children or the escape of the dog.
 - (3) The required pen or structure shall have secure sides and a secure top. If the pen or structure has no bottom secured to the sides, the sides shall be imbedded into the ground or concrete.
 - (4) The pen or structure shall protect the ~~dog animal~~ from the elements.
 - (5) A universal sign denoting a dangerous animal shall be displayed on all four sides of the pen or structure.
- (e) It shall be illegal for anyone to own or be the custodian of a hybrid.

Sec. 10-38. - Redemption. Mandatory sterilization and microchipping of certain ~~cats and dogs~~.

- (a) The owner shall be entitled to resume possession of an impounded ~~pet dog~~, except as provided in this section in the cases of certain ~~pets dogs~~, upon providing proof of a valid rabies inoculation for the year in which the ~~pet dog~~ is being held and proper identification requirements and the payment of redemption fees set forth in this section.

- (b) Any owner wishing to redeem their dog that has been impounded due to a violation of restraint and confinement *or their cat as a Nuisance Cat*, must agree in writing to provide written proof of the pet being sterilized within thirty days of redemption, unless one of the following:
- (1) Any owner of a *pet dog* who can furnish a statement by a licensed veterinarian that for medical reasons, the spay or neuter procedure is not appropriate at this time.
 - (2) Any owner of one or more purebred *pet dog* who can furnish proof of participation in at least three nationally recognized conformation or obedience shows within the past 12 months. This is to include *pets dog* registered through the AKC (American Kennel Club), UKC (United Kennel Club) or any other organization approved at the discretion of the Animal Services Director.
 - (3) Any dog trained and certified to be a *service dog* for its owner. Proof of training and certification may be requested and reviewed by the Animal Services Director.
 - (4) Any dog trained and certified to be a used for hunting is exempt from this section. Proof of training and certification may be requested and reviewed by the Animal Services Director.
 - (5) Any dog used for hunting purposes for which proof of training and certification cannot be provided is exempt from mandatory sterilization upon the first offense of this section. Any such dog will be subject to mandatory sterilization upon second impoundment for violation of restraint and confinement.
 - (6) *Any pet owner who claims their pet is used for commercial breeding purposes within Lexington County. For this exception to be valid, the pet owner must have a current breeder registration certificate under sec. 10-32 of this chapter or apply for one within 30 days of redemption.*
- (c) Any owner wishing to redeem their dog that has been impounded due to a violation of restraint and confinement *or their cat as a Nuisance Cat* and the *pet dog* does not have a microchip implanted, must agree in writing to having a microchip implanted at the cost of \$10.
- (d) In the case of a dangerous dog that the owner has failed to control properly and which has been impounded, redemption may be made only with the consent of the Animal Services Director.
- (e) The owner of an impounded dog must request the redemption of their dog in person. In certain cases, the dog may not be released by Animal Services unless authorized by an animal control officer, or the Animal Services Director, with assurance from the owner that proper care and custody will be maintained. This may include an inspection of the premises where the dog will be housed to ensure steps are taken to properly care for and maintain custody of the dog.
- (f) Any fees in this subsection collected from the owner by Animal Services shall be turned over to the County Treasurer, who shall make a monthly accounting of such funds. Such fees, when collected, shall go toward defraying the expense of operating the animal shelter. The fees in this section may be waived at the discretion of the Animal Services Director. The fees shall be as follows:
1. *Dogs: An initial fee of \$15.00 will be charged for impoundment for a period of one to five days. The additional sum of \$5.00 will be charged for each day the dog is kept beyond five days. Upon a second offense, a fee of \$30.00 will be charged. Upon a third offense, if the Animal Services Director allows the dog to be reclaimed, a fee of \$50.00 will be charged.*
 2. *Cats: An initial fee of \$15.00 will be charged for impoundment for a period of one to five days. The additional sum of \$5.00 will be charged for each day the cat is kept beyond five days. Any cat impounded as a Nuisance Cat for the second or subsequent times shall not*

be reclaimed until a court hearing where LCAS will request the Court to determine the disposition of the cat.

- (h) If an owner redeeming a pet dog cannot show proof of inoculation against rabies for the year in which the dog pet is being held, the owner shall be required to pay \$10.00 for the rabies inoculation.
- (i) Lexington County Animal Services may hold a pet pending court for any violation of this chapter at the discretion of the Animal Services Director. Lexington County Animal Services may request the Court to order the surrender of any pet animal where the Animal Services Director determines it is in the best interest of the pet animal or the public. If the Court grants the request, the pet dog will become property of the Lexington County Animal Services who will determine the appropriate disposition of the pet animal.

Sec. 10-39. - Adoption.

- (a) Any pet impounded under the provisions of this article may, at the end of the legal detention period, be adopted by a person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this article. All required fees must be paid at the time of adoption in addition to an adoption fee. Those individuals adopting puppies or kittens too young to receive rabies inoculation will pay the cost for this procedure at the time of adoption and be given an appointment for a later time to have this procedure accomplished.
- (b) No unsterilized pet, which has been impounded by Animal Services, shall be allowed to be adopted unless it has been sterilized.

Sec. 10-40. - Injured, diseased and dead animals.

- (a) Anyone who strikes a pet with a motor vehicle or bicycle and injures or kills the pet must notify Animal Services or the Sheriff's Department immediately. The animal control officer or the sheriff's department will then take the necessary steps to provide for the proper treatment or disposal of the pet.
- (b) Any pet received by Animal Services in critical condition from wounds, injuries or disease may be humanely euthanized destroyed at the discretion of the Animal Services Director and/or the Animal Services Veterinarian if the owner/custodian cannot be contacted. If the pet is suffering great pain, it may be humanely euthanized destroyed immediately.
- (c) The owner/custodian of any pet, which dies, shall immediately provide for its burial or cremation if they know of its death and the location of its remains. If they fail to do so within three hours, the animal control officer shall arrange for the disposal and the owner/custodian shall be required to pay the cost thereof, not to exceed \$50.00.
- (d) The animal control officer shall cause to be collected all dead domestic animals found on public grounds or roadways of the county. If the animal is identifiable, the animal control officer will notify the owner/custodian of the animal as soon as practical. Citizens may call 785-8364 if the animal is on a county road or 359-4103 if the animal is on a state road.

Sec. 10-41. - Pet regulations—Commercial purposes.

- (a) No person shall sell, trade, barter, auction, lease, rent, give away, or display for commercial purpose, any pet, on a roadside, public right-of-way, public property, commercial parking lot or sidewalk, fair or carnival.
- (b) No person shall offer a pet as an inducement to purchase a product, commodity or service.
- (c) A flea market pet sale vendor must:
 - (1) Possess a registration with Lexington County Animal Services that will be valid for ninety days from date of issue.
 - (2) Display, at all times, the Lexington County Animal Services' approved registration application at the booth.
 - (3) Permit kennel and booth inspections by Lexington County Animal Services upon request.
- (d) Licensed pet shops, commercial kennels, county animal shelters, and licensed pet rescue organizations may be exempt from the requirements of this section with prior written approval from the Animal Services Director or designee. The written approval document must be kept on site and produced upon request to law enforcement and code enforcement personnel.

Sec. 10-42. - Enforcement of article.

- (a) The provisions of this article shall be enforced by Animal Services under the supervision of the Animal Services Director in all unincorporated areas of the county except wherein the governing body of any municipality, by resolution filed with the clerk, so indicates that it desires the provisions of this article be enforced within the jurisdictional limits of the respective municipality.
- (b) Lexington County Animal Control Officers shall be appointed as county code enforcement officers or duly commissioned Class I or Class III officers certified by the South Carolina Criminal Justice Academy.
- (c) If the animal control officers are unable to respond to complaints due to other commitments, the county sheriff's department or other authorized law enforcement agency may respond to complaints.
- (d) Persons empowered to enforce this article shall have the authority to destroy any pet, which appears to be dangerous, and may endanger their safety or the safety of other persons or animals. Further, after reasonable attempts to capture and/or restrain unsuccessfully a dog in violation of section 10-34, restraint and confinement (by physical means and/or trapping), as a last resort, petition the magistrate to have the dog destroyed.
- (e) The animal control officers will, if necessary, obtain a search warrant to enter any premises upon which it is suspected a violation of this article exists. The officer may demand to examine such pet and take possession of the pet when, in their opinion, it requires removal from the premises.
- (f) No person shall interfere with, hinder or molest the Animal Services' Staff in the execution of their duties, or seek to release any pet in the custody of Animal Services.
- (g) When a pet is found in violation of any provision of this article, animal control officers, at their discretion, may:
 - (1) Impound the pet.

(2) Issue notice of violation.

(3) Issue court summons.

Sec. 10-43. - Penalty for violation of article.

The violation of any section of this article shall constitute a misdemeanor and shall be punishable under magistrate's court jurisdiction.

Secs. 10-44—10-60. - Reserved.

DIVISION 2. - RABIES CONTROL

Sec. 10-61. - Inoculation; certificate; tags.

- (a) No person shall own, keep or harbor any pet within the county over the age of twelve weeks, unless such pet has been inoculated against rabies as provided in this section; unless the owner of the pet can furnish a statement by a licensed veterinarian that for medical reasons, the inoculation is not appropriate at this time.
- (b) Every owner/custodian of a pet will have their pet inoculated against rabies in such a manner as to provide continual protection.
- (c) A state board of health certificate of pet rabies vaccination will be issued by a licensed graduate veterinarian for each pet stating the name and address of the owner, the name, breed, color and markings, age, sex of the pet animal and the veterinary or pharmaceutical control number of the vaccination.
- (d) Coincident with the issuance of the certificate, the licensed graduate veterinarian shall also furnish a serially numbered metal license tag bearing the same number and year as the certificate. The metal license tag shall bear the name of the veterinarian who administered the vaccination and shall at all times be attached to a collar or harness worn by the pet for which the certificate and tag has been issued.
- (e) The owner/custodian shall have a valid certificate of rabies immunization readily available for inspection by competent authority at all times.
- (f) If a rabies tag is lost, the owner will obtain a duplicate tag without delay.
- (g) If there is a change in ownership of a pet during the valid period of immunization, the new owner may have the current certificate of immunization transferred to their name.
- (h) A certificate of rabies immunization issued by a licensed veterinarian from another state will be accepted as valid evidence.

Sec. 10-62. - Owners required to notify authorities of suspected rabid animals.

Whenever a pet or other animal is affected by rabies or suspected of being affected by rabies or has been bitten by an animal known or suspected to be affected by rabies, the owner of the animal or any person having knowledge thereof shall forthwith notify Animal Services and the Department of Health and Environmental Control stating precisely where the animal may be found.

Sec. 10-63. - Animal control officer to arrange for confinement of animal that has bitten a person.

The animal control officer, in conjunction with the Department of Health and Environmental Control, shall arrange for the supervised confinement of any pet or other animal, which has bitten a person. Such confinement may be on the premises of the owner/custodian if the owner/custodian will sign an agreement assuming total responsibility for the safe confinement of the pet or other animal. Confinement shall be at the county animal shelter, a private animal shelter, veterinary hospital or humane society shelter at the owner's expense.

Sec. 10-64. - Required period of confinement of animal that has bitten a person; examination during confinement.

Any pet or other animal, which has bitten a person, must be confined for a period of at least ten days. The Department of Health and Environmental Control or the animal control officer will be permitted by the owner/custodian of such pet or animal to examine the animal at any time, and daily if desired, within the ten-day period of confinement to determine whether such animal shows symptoms of rabies. No person shall obstruct or interfere with the animal control officer or the Department of Health and Environmental Control in making such examination.

Sec. 10-65. - Notice to owner of animal, other than dog or cat that has attacked or bitten a person.

In the case of a pet other than a dog or cat which has attacked or bitten a person, the Department of Health and Environmental Control shall serve notice upon the owner/custodian of such pet that the owner/custodian shall have the animal ~~destroyed~~ **humanely euthanized** immediately and have the brain submitted for rabies examination.

Sec. 10-66. - Confinement of animals bitten by known or suspected rabid animals.

The Department of Health and Environmental Control shall serve notice in writing upon the owner/custodian of a pet or other animal known to have been bitten by an animal known or suspected of being affected by rabies requiring the owner/custodian to confine such animal for a period of not less than six months; except that, animals properly treated with antirabic vaccine shall be confined for a period of not less than three months.

Sec. 10-67. - Killing or removing from jurisdiction suspected rabid animals prohibited; exception.

No person shall kill, or cause to be killed, any rabid pet or other animal, or one suspected of having been exposed to rabies or which has bitten a person, nor remove such pet or animal from the jurisdiction of the county without written permission of the Department of Health and Environmental Control. An exception to the preceding requirement is in the event of the possibility of the animal's escape or additional biting in which case the animal is to be killed and the Department of Health and Environmental Control immediately.

Secs. 10-68—10-90. - Reserved.

DIVISION 3. - EXOTIC ANIMALS

Sec. 10-91. - Definition of exotic animals.

Exotic animal means those species of animals that are exotic to humans. Exotic animals include:

- (1) Class Mammalia.
 - a. Order Artiodactyla (only hippopotamuses and giraffes).
 - b. Order Carnivora (only those specified below).
 1. Family Felidae [(all species except domestic cats) this includes lions, tigers, cougars, leopards, ocelots, servals].
 2. Family Canidae (only wolves, coyotes and jackals).
 3. Family Ursidae (all bears).
 4. Family Hyaenidae (hyenas).
 - c. Order Perissodactyla (only rhinoceroses).
 - d. Order Primates (only gorillas).
 - e. Order Proboscidae (elephants).
- (2) Class Reptilia.
 - a. Order Squamata (only varanidae family animals specified below).
 - b. Family Varanidae (only water monitors and crocodile monitors).
 - c. Order Crocodilia (such as crocodiles, alligators, caimans, gavials, etc.) all species.

Sec. 10-92. - Prohibition.

It shall be unlawful to keep, maintain, or have in his or her possession or control within the unincorporated portion of Lexington County any exotic animal as defined herein.

Sec. 10-93. - Provisions.

The provisions of section 10-92 shall not apply to Riverbanks Zoo and Lexington County approved circuses that are within the unincorporated area of the county.

Sec. 10-94. - Penalty.

Any person violating the provisions of section 10-92 shall be subject to the maximum penalty as authorized by the magistrate's court and as further set forth in the general penalty, section 1-8 of the Lexington County Code of Ordinances. Lexington County Animal Services may take immediate possession of an exotic animal and transfer the exotic animal to a rescue group outside of Lexington County.

This Ordinance shall become effective upon adoption.

ENACTED this _____ day of _____, XXXX

LEXINGTON COUNTY, SOUTH CAROLINA

By: _____
Scott R. Whetstone, Chairman

Attest:

By: _____
Brittany Shumpert
Clerk to Council

First Reading: _____
Second Reading: _____
Public Hearing: _____
Third & Final Reading: _____
Filed With Clerk of Court: _____

September 8, 2020

NEW BUSINESS

ITEM#5

Pine Ridge Middle School G.O.L.D. Rush (donation)

OBJECTIVE: A motion and second is needed for approval.

Council has allocated \$150.00 in the 2020/2021 donation budget specifically for the Pine Ridge Middle School G.O.L.D. program.

Description	Budget 20/21 ALLOCATION
PRMS GOLD Sponsor	150.00