



**April 12, 2022  
REGULAR SCHEDULED  
TOWN COUNCIL MEETING  
AGENDA**

**6:30 P.M. - Town Council Work Session**

- 6:30 P.M. – 6:45 P.M. Presentation by Mr. Guillermo Espinosa of Central Midlands Council of Governments  
6:45 P.M. – 7:00 P.M. Public Hearing: Ordinance 2022-06 Adopt County Animal Control Ordinance 21-20  
7:00 P.M. – 7:10 P.M. Friends of South Congaree-Pine Ridge Library presentation by Ms. Kitty Spires  
7:10 P.M. – 7:12 P.M. Review of Administrative Department Reports  
7:12 P.M. – 7:14 P.M. Review of Police Department Administrative Reports  
7:14 P.M. – 7:16 P.M. Council Standing Committee Reports:  
a) Finance Committee-Chair Davis & Member Dinkins  
b) Public Utilities & Health Committee-Chair Lewie & Member Simms  
c) Property & Recreation Committee-Chair Sturkie & Member Simms  
d) Employee Grievance Committee-Chair Dinkins & Members Lewie & Sturkie  
7:16 P.M. – 7:20 P.M. Informational Council Discussion:  
a) April 28, 2022: Chief's Forum from 6:00pm to 6:30pm  
b) April 28, 2022: Council Quarterly Work Session from 6:45pm to 7:45pm  
c) May 17, 2022: Public Hearing & First Reading Ordinance 2022-07: 2022/2023 fiscal budget

**7:20 P.M. - Town Council Meeting**

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Freedom of Information Act Compliance

**Approval of Minutes**

1. March 8, 2022 Regular Scheduled Council Meeting

**Old Business**

1. Consideration of Ordinance 2022-05: Amend Town Code §1-309, 1-511, 6-101 & 6-102 \*2nd Reading

**New Business**

1. Friends of South Congaree-Pine Ridge Library (donation)
2. Consideration of Resolution 2022-03: Adoption of All Natural Hazards Risk Assessment & Mitigation Plan for the Central Midlands Region of South Carolina
3. Consideration of Ordinance 2022-06: Adoption of County Animal Control Ordinance 21-20 \*1st Reading
4. Consideration of Resolution 2022-08: Authorize Receipt of Funds and Designate Allocation for Funding with the Coronavirus State and Local Fiscal Recovery Funds through the American Rescue Plan Act
5. Consideration of Resolution 2022-09: SRO Agreement & Memorandum of Understanding 2021/2022

**Citizen's Comment Time – (email to [skyzer@townofpineridgesc.com](mailto:skyzer@townofpineridgesc.com) by 5pm on 4/11/2022)**

**ADJOURN**

**PUBLIC NOTICE**  
**Town of Pine Ridge**

The Pine Ridge Town Council will hold a public hearing at the Town Hall on April 12, 2022, at 6:30pm to consider Ordinance 2022-06, to adopt by reference the Lexington County Animal Control Ordinance 21-20. Copies of the proposed are available at Town Hall, located at 2757 Fish Hatchery Road or at [www.townofpineridgesc.com](http://www.townofpineridgesc.com) . Public and written comments are welcome and may be submitted to the Municipal Clerk at [skyzer@townofpineridgesc.com](mailto:skyzer@townofpineridgesc.com).

*Currently reads:*

**CHAPTER 5**

**HEALTH  
Article I**

**Animals**

**§ 5-101 Adoption of County Ordinance.**

The Lexington County Animal Control Ordinance 20-29 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 20-29 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 20-29 can be found online at [www.lex-co.sc.gov](http://www.lex-co.sc.gov) under the Animal Services Department. (Amended 10-12-21/2021-09)

*Proposed change:*

**CHAPTER 5**

**HEALTH  
Article I**

**Animals**

**§ 5-101 Adoption of County Ordinance.**

The Lexington County Animal Control Ordinance 21-20 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 21-20 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 21-20 can be found online at [www.lex-co.sc.gov](http://www.lex-co.sc.gov) under the Animal Services Department. (Amended 5-17-22/2022-06)



**TOWN OF PINE RIDGE**  
 2757 Fish Hatchery Road  
 West Columbia, SC 29172  
 Telephone (803)755-2500  
 Facsimile (803)955-0605

## TOWN COUNCIL AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit the Agenda Request Form, including back up information, prior to noon of the 7<sup>th</sup> day immediately preceding a regular scheduled meeting. Please note that the Town Council requires all supporting documents to be provided at the time the agenda application is submitted. Please refrain from handing out material at the Council meetings.

### Meeting Information

Date Submitted: 3/31/2022

Date of Meeting: April 12, 2022

Resident: Yes  No

Time Required(max 10 minutes): 5-10 minutes

Phone/Email:

Background Info. Supplied: Yes  No

Name & Address:

Kitty Spires West Columbia, SC 29172

### Category of Business (Please place an "X" in the appropriate box)

Work Session Presentation:

Recognition/Resignation/Retirement:

Board Appointment:

Old Business:

New Business:

Other:

### Agenda Item Topic (brief for public information and posted agenda)

Acknowledgement of Support of Town to the Friends of South Congaree Pine Ridge Library

### Description of Item (expand as necessary for clarification of above summary)

I'd like to update the town council on activities at the SCAR Poranch Library + thank them for support. Also to request support for 2022-2023 Budget. I serve as President of the Friends of South Congaree Pine Ridge Library.

### Approval

Town Administrator: Yes  No

Chair/Vice Chair: Yes  No

Hold for Meeting Date:

4/12/2022

STATE OF SOUTH CAROLINA	)	ORDINANCE 2022-05
	)	AN ORDINANCE TO AMEND
COUNTY OF LEXINGTON	)	TOWN CODE §1-309
	)	TOWN CODE §1-511
	)	TOWN CODE §6-101
TOWN OF PINE RIDGE	)	TOWN CODE §6-102

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, the Ad-Hoc Committee for Standing Committees presented their recommendation to the Pine Ridge Town Council at the regular scheduled meeting on February 8, 2022; and

WHEREAS, Chapter 1, 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 February 17, 2022; and

WHEREAS, the Pine Ridge Town Code of Ordinances shall be amended as follows:

**Chapter 1, Article III, Section §1-309 Standing committees.**

The mayor shall at the beginning of each fiscal year appoint or reappoint members to the following standing committees of council, to serve at the pleasure of the mayor:

1. Finance Committee. The Finance Committee shall be responsible for the preparation and administration of a balanced budget, planning for and recommending methods to meet financial needs of the town, monitoring revenues and expenditures, making financial reports to Council when requested, and such other fiscal duties as may be assigned by Council.
2. Property and Recreation Committee. The Property and Recreation Committee shall be responsible for all planning, competitive bidding of construction projects, construction monitoring and progress reporting, regular and updating maintenance activities, and makes recommendations related to insuring named public structures, grounds and parking areas of the town. The Committee shall have administrative responsibility over repairs, maintenance, excavation, planting and cutting of trees or vegetation on all public rights-of-ways, and public property in the town. The Committee shall make recommendations to Town Council for programs of street or traffic flow improvements, beautification, and recreation opportunities that would improve the quality of life in the town.
3. Employee Grievance Committee. The Employee Grievance Committee shall be responsible for the hearing of all employee grievances. The Committee shall make recommendations to Town Council on employee grievance hearings. The Committee shall be comprised of three members with one acting as Administrative Liaison.

All standing committees shall study and report on such matters as may be referred to the committees by Council from time to time. Reports of standing committees shall be called for at council meetings in the order listed above.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )  
 )  
TOWN OF PINE RIDGE )

ORDINANCE 2022-05  
AN ORDINANCE TO AMEND  
TOWN CODE §1-309  
TOWN CODE §1-511  
TOWN CODE §6-101  
TOWN CODE §6-102

**Chapter 1, Article V, Section §1-511 Reserved.**

**Chapter 6, Article I, Section §6-101 Police chief, officers.**

The police department shall consist of a chief and such officers as may be appointed pursuant to this Code. Special police officers may be appointed by the mayor in an emergency. The police chief is authorized to conduct the day-to-day business of the police department subject to the guidelines established by the mayor.

**Chapter 6, Article I, Section §6-102 Powers and Duties.**

Police officers shall have the power and duty to perform the following functions within the town and on all property owned by the town beyond the corporate limits:

- 1) Provide protection for persons and property against unlawful acts and reduce the opportunity for commission of crimes;
- 2) Maintain a crime prevention program;
- 3) Provide regular patrol of all areas in the town;
- 4) Investigate crimes;
- 5) Apprehend, arrest, and prosecute offenders;
- 6) Recover stolen property;
- 7) Conduct training;
- 8) Attend municipal court and execute orders of court;
- 9) Provide traffic control; and
- 10) Perform such other duties as may be assigned by the police chief.

**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 the Pine Ridge Town Code be amended as submitted herein.

**DULY ADOPTED THIS 12<sup>th</sup> day of April, 2022, under the corporate seal of the Town of Pine Ridge.**

Public Hearing: March 8, 2022  
First Reading: March 8, 2022  
Second Reading: April 12, 2022

Attest:

\_\_\_\_\_  
Daniel D. Davis  
Mayor

\_\_\_\_\_  
Susan C. Kyzer, Municipal Clerk

## PROPOSED CHANGES 2022-05:

### **§ 1-309 Standing committees.**

The mayor shall at the beginning of each fiscal year appoint or reappoint members to the following standing committees of council, to serve at the pleasure of the mayor:

(1) Finance Committee. The Finance Committee shall be responsible for the preparation and administration of a balanced budget, planning for and recommending methods to meet financial needs of the town, monitoring revenues and expenditures, making financial reports to Council when requested, and such other fiscal duties as may be assigned by Council.

~~(2) Public Safety Committee. The Public Safety Committee shall be responsible for proper conduct of the police department, civil defense procedures, emergency safety procedures, and coordination of emergency services. The chairperson of this committee shall be Police Commissioner with duties as assigned by Council.~~

~~(3) Public Utilities and Health Committee. The Public Utilities and Health Committee shall be responsible for supervision and operation of the town water and sewer systems pursuant to rules and regulations promulgated by Town Council, which is the Commission of Public Works. The Committee shall provide for enforcement of standard code inspections and qualifications of plumbers and electricians. The Committee shall be responsible for planning, recommendations to Council, and enforcement of sanitation and health regulations and ordinances.~~

(4) now (2) Property and Recreation Committee. The Property and Recreation Committee shall be responsible for all planning, competitive bidding of construction projects, construction monitoring and progress reporting, regular and updating maintenance activities, and makes recommendations related to insuring named public structures, grounds and parking areas of the town. The Committee shall have administrative responsibility over repairs, maintenance, excavation, planting and cutting of trees or vegetation on all public rights-of-ways, and public property in the town. The Committee shall make recommendations to Town Council for programs of street or traffic flow improvements, beautification, and recreation opportunities that would improve the quality of life in the town.

~~(5) now (3) Employee Grievance Committee. The Employee Grievance Committee shall be responsible for the hearing of all employee grievances. The Committee shall make recommendations to Town Council on employee grievance hearings. The Committee shall be comprised of three members who are not the Administrative Liaison or Police Commissioner.~~  
The Committee shall be comprised of three members with one acting as Administrative Liaison.

All standing committees shall study and report on such matters as may be referred to the committees by Council from time to time. Reports of standing committees shall be called for at council meetings in the order listed above.

**§ 1-511      ~~Police commissioner.~~ now Reserved.**

~~The Mayor shall appoint a Police Commissioner, which may be himself/herself, who shall serve at the pleasure of the Mayor. The Police Commissioner shall develop job descriptions for and supervise the employees in the Police Department. The Police Commissioner shall conduct periodic job performance reviews for all law enforcement employees and make reports to council on the results. The police chief is authorized to conduct the day-to-day business of the police department subject to guidelines established by the Police Commissioner. The Police Commissioner shall have no law enforcement powers. (Amended 7-11-06/2006-07)~~

**§ 6-101 Police chief, officers.**

The police department shall consist of a chief and such officers as may be appointed pursuant to this Code. Special police officers may be appointed by the mayor in an emergency. ~~The police chief is authorized to conduct the day-to-day business of the police department subject to the guidelines established by the mayor.~~

**§ 6-102 Powers and duties.**

Police officers shall have the power and duty to perform the following functions within the town and on all property owned by the town beyond the corporate limits:

- (1) Provide protection for persons and property against unlawful acts and reduce the opportunity for commission of crimes;
- (2) Maintain a crime prevention program;
- (3) Provide regular patrol of all areas in the town;
- (4) Investigate crimes;
- (5) Apprehend, arrest, and prosecute offenders;
- (6) Recover stolen property;
- (7) Conduct training;
- (8) Attend municipal court and execute orders of court;
- (9) Provide traffic control; and
- (10) Perform such other duties as may be assigned by the police chief ~~or Police Commissioner~~



STATE OF SOUTH CAROLINA            )  
COUNTY OF LEXINGTON                )                RESOLUTION 2022-03  
TOWN OF PINE RIDGE                    )

**RESOLUTION OF THE MAYOR AND COUNCIL  
FOR THE TOWN OF PINE RIDGE, SOUTH CAROLINA  
TO ADOPT THE ALL-NATURAL HAZARDS RISK ASSESSMENT AND MITIGATION PLAN  
FOR THE CENTRAL MIDLANDS REGION OF SOUTH CAROLINA**

**WHEREAS**, the Town of Pine Ridge recognizes the threat that natural hazards pose to people and property; and

**WHEREAS**, undertaking hazard mitigation actions before disasters occur will reduce the potential for harm to people and property and save taxpayer dollars; and

**WHEREAS**, an adopted all hazards mitigation plan is required as a condition of future grant funding of mitigation projects; and

**WHEREAS**, the Town of Pine Ridge participated jointly in the planning process with the other units of government in the Central Midlands region of South Carolina to prepare an all-hazards mitigation plan;

**WHEREAS**, the Town of Pine Ridge is aware that revision and updating of the plan is critical for active and effective hazard mitigation and that the Town of Pine Ridge will monitor and record hazard related data and events that can be used to update the all-natural hazards mitigation plan;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council for the Town of Pine Ridge, South Carolina, hereby adopts the update to the All-Natural Hazards Risk Assessment and Mitigation Plan for the Central Midlands Region in its entirety as an official plan and will undertake annual recording of hazard events, their impact duration and cost.

**BE IT FURTHER RESOLVED**, that the Central Midlands Council of Governments, accepting the All-Natural Hazards Risk Assessment and Mitigation Plan from the Central Midlands Regional Risk Assessment and Hazard Mitigation Committee, will submit on behalf of the participating counties and municipalities the adopted All Natural Hazards Plan to the Federal Emergency Management Agency officials for final review and approval.

Witness our hands and seals this 12th day of April 2022, at Pine Ridge, South Carolina.

\_\_\_\_\_  
Mayor Daniel D. Davis

\_\_\_\_\_  
Councilmember Floyd W. Dinkins III

\_\_\_\_\_  
Mayor Pro-Tem Scott N. Simms

\_\_\_\_\_  
Councilmember Elizabeth S. Sturkie

\_\_\_\_\_  
Councilmember Melissa A. Lewie

## Executive Summary – 2021 Central Midlands Hazard Mitigation Plan

Natural hazards, such as flooding, tornadoes and winter weather, threaten the Central Midlands Region of South Carolina. These natural events endanger the health and safety of residents and property, jeopardize the economic vitality of the region, and imperil environmental quality. Minimizing or neutralizing the impacts of these events before they occur is a cost-effective method of saving lives, protecting property, and fomenting economic development in areas of high-hazard risk and vulnerability.

As part of the Disaster Mitigation Act of 2000, the Federal Emergency Management Agency (FEMA) requires all counties to create and maintain a Hazard Mitigation Plan. A FEMA approved and locally adopted Hazard Mitigation Plan is a requirement to solicit federal grant funds under the Hazard Mitigation Assistance (HMA) program. ***Mitigation strategies listed in this Hazard Mitigation Plan are eligible for the Hazard Mitigation Grant Program (HMGP), the Building Resilient Infrastructure and Communities (BRIC) grant, and the Flood Mitigation Assistance (FMA) grants.***

The Central Midlands Council of Governments (CMCOG) is the designated lead agency to coordinate jurisdictions, compile information, and develop the Hazard Mitigation Plan for the Central Midlands region. In close collaboration with local stakeholders, CMCOG initiated a hazard mitigation planning process in 2004 to improve awareness, increase community resilience, and minimize vulnerabilities to natural hazards. **This plan represents an update of the 2016 “Central Midlands Hazard Mitigation Plan”** and includes new hazard and vulnerability assessments, recommendations for new strategies, as well as a status update of past hazard mitigation actions.

This Hazard Mitigation Plan is designed to be a general emergency management and planning document to aid decision makers and the general public in:

- 1) Describing the natural hazards that have historically had the most impact in each county
- 2) Assessing vulnerable populations and assets within each county
- 3) Assessing risk and severity of consequences within each county
- 4) Identifying and evaluating goals, actions and projects that reduce the impacts of identified hazards
- 5) Devising an action plan for prioritizing, implementing, and administering recommended mitigation actions and projects
- 6) Monitoring and evaluating progress of the plan recommendations
- 7) Understanding the process which participating organizations could use to incorporate plan recommendations into local plans and capital improvements programs
- 8) Ensuring continued public involvement in the ongoing mitigation planning process

### Changes since the 2016 Central Midlands Hazard Mitigation Plan

- Now 0.25 sq mi hexes that determine possible impacts at a sub-county scale (down from 1.5 sq mi). This is used to reflect the requirement that the Plan must be jurisdiction-specific to Plan participants.
- The time period for these data generally now covers 1989 to 2018, or around 30 years of data per natural hazard.
- Countywide utilization metrics of FEMA grant opportunities by project type are a brand new inclusion to the Plan.
- Natural hazard analyses are now compiled onto a composite hazards risk map, which show areas of high natural hazard threat, social vulnerability, and severity of consequences to life and property.
- The critical infrastructure analysis is now reframed through the FEMA Community Lifelines concept
- Emergency management tools, capabilities, FEMA Community Lifelines, and mitigation strategies which can be used to apply for FEMA funding were updated to reflect the local information priorities of plan participants.

STATE OF SOUTH CAROLINA	)	
	)	AN ORDINANCE ADOPTING BY
COUNTY OF LEXINGTON	)	REFERENCE THE LEXINGTON COUNTY
	)	ANIMAL CONTROL ORDINANCE 21-20
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 March 17, 2022, and;

**WHEREAS**, the Pine Ridge Town Council wishes to adopt, by reference, the Lexington County Animal Control Ordinance 21-20, and;

**WHEREAS**, the adoption of the Lexington County Animal Control Ordinance 21-20, 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 21-20 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 21-20 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 21-20 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 21-20 can be found online at [www.lex-co.sc.gov](http://www.lex-co.sc.gov) under the Animal Services Department.

**DULY ADOPTED THIS** 17th day of May, 2022 under the corporate seal of the Town of Pine Ridge.

Public Hearing: April 12, 2022  
First Reading: April 12, 2022  
Second Reading: May 17, 2022

\_\_\_\_\_  
Daniel D. Davis  
Mayor

Attest:

\_\_\_\_\_  
Susan C. Kyzer  
Municipal Clerk

## **APPENDIX F**

### **Lexington County Animal Control Ordinance 21-20**



## ORDINANCE 21-20

**An Ordinance Amending the Lexington County Animal Control Ordinance, Chapter 10, Animals, Article II, Animal Control, Division I, Generally; to Include Section 10-42 Tethering and Shelter. ~~Division II, Rabies Control; and Division III, Exotic Animals; and Division IV, Livestock and Poultry.~~**

WHEREAS, it has become apparent that that the County needs to provide some regulation by the County for “Tethering” as defined herein; and

WHEREAS, the County desires to establish guidelines for the humane tethering of ~~dogs~~ pets;

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.

##### SEC. 10-32. – COMMERCIAL BREEDING KENNELS/CATTERIES.

##### SEC. 10-33. – DOG IDENTIFICATION

##### SEC. 10-34. – RESTRAINT AND CONFINEMENT.

##### SEC. 10-35. – ABANDONMENT AND MALTREATMENT.

##### SEC. 10-36. – IMPOUNDMENT, REMOVAL OF NUISANCE CATS AND VOLUNTARY OWNER SURRENDERS.

##### SEC. 10-37 – DANGEROUS DOGS.

##### SEC. 10-38. – REDEMPTION, MANDATORY STERILIZATION AND MICROCHIPPING OF CERTAIN CATS AND DOGS.

**SEC. 10-39. – ADOPTION.**

**SEC. 10-40. – INJURED, DISEASED AND DEAD ANIMALS.**

**SEC. 10-41. - PET REGULATIONS—COMMERCIAL PURPOSES.**

**SEC. 10-42. – TETHERING AND SHELTER.**

**SEC. ~~10-42~~ 10-43. – ENFORCEMENT OF ARTICLE.**

**SEC. ~~10-43~~ 10-44. - PENALTY FOR VIOLATION OF ARTICLE. SECS. ~~10-44~~ 10-45-10-60.  
- RESERVED.**

## **DIVISION 2. – RABIES CONTROL**

**SEC. 10-61. – INOCULATION; CERTIFICATE; TAGS.**

**SEC. 10-62. – OWNERS REQUIRED TO NOTIFY AUTHORITIES OF SUSPECTED RABID ANIMALS.**

**SEC. 10-63. – ANIMAL CONTROL OFFICER TO ARRANGE FOR CONFINEMENT OF ANIMAL THAT HAS BITTEN A PERSON.**

**SEC. 10-64. – REQUIRED PERIOD OF CONFINEMENT OF ANIMAL THAT HAS BITTEN A PERSON; EXAMINATION DURING CONFINEMENT.**

**SEC. 10-65. – NOTICE TO OWNER OF ANIMAL, OTHER THAN DOG OR CAT THAT HAS ATTACKED OR BITTEN A PERSON.**

**SEC. 10-66. – CONFINEMENT OF ANIMALS BITTEN BY KNOWN OR SUSPECTED RABID ANIMALS.**

**SECS. 10-68 – 10-90. – RESERVED.**

## **DIVISION 3. – EXOTIC ANIMALS**

**SEC. 10-91. – DEFINITION OF *EXOTIC ANIMALS*.**

**SEC. 10-92. – PROHIBITION.**

**SEC. 10-93. – PROVISIONS.**

**SEC. 10-94. – PENALTY.**

## **DIVISION 4. – LIVESTOCK AND POULTRY**

**SEC. 10-95. PERMITTING LIVESTOCK AND POULTRY TO RUN ESTRAY UNLAWFUL.**

**SEC. 10-96. NEGLECT OF LIVESTOCK OR POULTRY.**

**SEC. 10-97. IMPOUNDMENT OF LIVESTOCK OR POULTRY.**

**SEC. 10-98. REDEMPTION OF IMPOUNDED LIVESTOCK OR POULTRY.**

**SEC. 10-99. DISPOSITION OF LIVESTOCK OR POULTRY FOUND ESTRAY.**

## **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 County Council for the purpose of impounding, care, rescue, adoption, and humane euthanasia of all pets held under the authority of this chapter.

*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 or allows the cat to remain on or about premises occupied by said person for a period of less than five (5) 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;  
and
- (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 socialized to humans 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. Socialized 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* means any dog evidencing characteristics usually associated with a history or an abnormal inclination to attack other pets or persons without provocation.

*Estray* any livestock or poultry found wandering or abandoned in the public ways or in the lands of any person other than its owner or custodian.

*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 Department of Health and Environmental Control or a licensed veterinarian shall make this determination.

*Fancier* means a person who owns or keeps three (3) or more dogs or cats for noncommercial hunting or for breeding purposes in order to regularly participate in tracking, exhibition in shows, such as field, obedience or performance trials at American Kennel Club (AKC), United Kennel Club (UKC) or Cat Fancier Association (CFA) 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.

*Livestock* means classes and breeds of animals, domesticated or feral, commonly raised or owned for use, sale, or display. This is to include but not limited to equine, swine, sheep, goats, llama, alpaca or cattle of any description.

*Maltreatment* means the act of any person who deprives any pet of necessary sustenance ~~or a dog with 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.

*Neglect* means failure of an owner or custodian to provide an appropriate level of sustenance or medical care to any livestock or poultry.

*Nuisance Cat* means 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 an animal.
- (2) Keeps or harbors and animal 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 (5) or more days.

*Poultry* means all avian species including wildfowl, domesticated or feral, commonly raised or owned for use, sale, or display. This is to include by not limited to any goose, duck, chicken, emu, ostrich, guinea or other fowl.

*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, including *community cats*.

*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 off 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 (3) 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.

*Tethering* means to fasten, chain, tie, secure, or restrain a pet dog to any dog house, tree, fence, or any other stationary object or structure.

#### **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 Lexington County Animal Services, issued pursuant to this section for which a fee of \$200.00 shall be paid for a two (2) year period. The inspection of *commercial kennels/catteries* shall be constructed, maintained and operated in compliance with the current standards and procedures promulgated by Lexington County

Animal Services and the 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. – DOG 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 may permit the dog to go unconfined on their premises. A dangerous dog is unconfined if the dog 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 dog and must be designed to prevent the entry of the general public, including children, and to prevent the escape or release of the dog. The dog must not be removed from such building or enclosure unless the dog 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 sections (a)-(e) and requesting a summons issued, must identify himself to the Animal Control Officer or 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 onto private property.
- (i) The owner of every dog shall be responsible for the removal of any excreta deposited by the dog on public walkways, 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 (2<sup>nd</sup>) or subsequent offenses. Anyone who attempts to reclaim a cat impounded for the second (2<sup>nd</sup>) 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 Section 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 or caretaker of its impoundment and to inform the owner/custodian or caretaker of the conditions whereby they can regain custody of the pet.
- (b) Any dog or cat impounded under the provisions of this Article and not claimed by its owner within five (5) 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 (4) 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 Section 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 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 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.
- (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. The minimum standards for an escape-proof kennel shall include the following:
    - (1) Fencing materials shall not have openings with a diameter of more than two (2) inches; in the case of a wooden fence, the gaps shall not be more than two (2) 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 from the elements.
    - (5) A universal sign denoting a dangerous dog or animal shall be displayed on all four (4) 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 PETS.**

- (a) The owner or caretaker shall be entitled to resume possession of an impounded pet, except as provided in this section in the cases of certain pets, upon providing proof of a Valid Rabies Inoculation for the year in which the pet 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 an owner or caretaker of a *nuisance cat*, must agree in to provide written proof of the pet being sterilized within thirty (30) days of redemption, unless one of the following:
  - (1) Any owner or caretaker of a pet 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 or caretaker of one (1) or more purebred pet who can furnish proof of participation in at least three (3) nationally recognized conformation or obedience shows within the past 12 months. This is to include pets registered through the American Kennel Club (AKC), United Kennel Club (UKC) 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 (1<sup>st</sup>) offense of this section. Any such dog will be subject to mandatory sterilization upon second (2<sup>nd</sup>) impoundment for Violation of Restraint and Confinement.

- (6) Anyone who claims their pet is used for commercial breeding purposes within Lexington County.  
Anyone who claims this exception shall be considered the pet's owner. For this exception to be valid, the pet owner must have a current Breeder Registration Certificate under section 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 an owner or caretaker of a *nuisance cat* and the pet 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 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 (1) to five (5) days. The additional sum of \$5.00 will be charged for each day the dog is kept beyond five (5) days. Upon a second (2<sup>nd</sup>) offense, a fee of \$30.00 will be charged. Upon a third (3<sup>rd</sup>) 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 (1) to five (5) days. The additional sum of \$5.00 will be charged for each day the cat is kept beyond five (5) days. Any cat impounded as a *nuisance cat* for the second (2<sup>nd</sup>) or subsequent times shall not be reclaimed until a Court Hearing where Lexington County Animal Services (LCAS) will request the Court to determine the disposition of the cat.
- (g) If an owner or caretaker redeeming a pet cannot show proof of inoculation against rabies for the year in which the pet is being held, the owner or caretaker shall be required to pay \$10.00 for the Rabies Inoculation.
- (h) 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 where the Animal Services Director determines it is in the best interest of the pet or the public. If the Court grants the request, the pet will become property of the Lexington County Animal Services who will determine the appropriate disposition of the pet.

#### **SEC. 10-39. - ADOPTION.**

- (a) Any pet impounded under the provisions of this Article may, at the end of the Legal Detention Period, may 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 animal received or impounded by Animal Services in critical condition from wounds, injuries or disease may be humanely euthanized at the discretion of the Animal Services Director and/or the Animal Services Veterinarian if the owner/custodian or caretaker cannot be contacted. If the animal is suffering great pain, or has a confirmed infectious disease placing other animals at risk, it may be humanely euthanized immediately.
- (c) The owner/custodian or caretaker 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 (3) hours, the Animal Control Officer shall arrange for the disposal and the owner/custodian or caretaker 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 Lexington County Public Works at 803-785-8364 if the animal is on a County road or South Carolina Transportation Maintenance 803-359-4103 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, of 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 (90) days from date of issue.
  - (2) Display, at all times, the Lexington County Animal Services' approved Registration Application at the booth.
  - (3) Allow 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. – TETHERING AND SHELTER.**

- (a) It shall be unlawful to tether an ~~animal~~ pet while outdoors except when all of the following conditions are met:
- (1) The ~~animal~~ pet must be over the age of six (6) months.
  - (2) The tether is connected to the ~~animal~~ pet with a collar or a body harness made of nylon, leather, or other durable non-metallic material.
  - (3) The collar or harness shall be an appropriate size and fit as to not cause injury to the ~~animal~~ pet.
  - (4) The tether has a minimum of twelve-feet in length and a swivel-type termination at both ends.
  - (5) The total tether weight does not exceed ten (10) percent of the ~~animal's~~ pet's body weight.
  - (6) The ~~animal~~ pet is tethered so as to prevent injury, strangulation or entanglement on objects or structures.
  - (7) The ~~animal~~ pet has access to fresh water and shelter as defined in this article.
  - (8) The ~~animal~~ pet is not tethered where any object or structure may interfere or impede free movement of the tether.
  - (9) The ~~animal~~ pet is not sick or injured.
  - (10) The ~~animal~~ pet is not tethered in such proximity to any other tethered animal that would allow entanglement.
  - (11) Any pulley, running line or trolley system to which a tether is attached shall be no less than twelve (12) feet in length between stopping points. The ~~dog~~ pet shall be free from entanglement with any trees, shrubbery, posts, object or structure.
- (b) No dog, tethered or untethered, shall be left outside unattended for 30 minutes or longer during a four (4) hour period when:
- (1) The temperatures are below 40° Fahrenheit for a sustained four (4) hour period, unless adequate bedding and shelter as defined in this chapter are provided to protect the animal from the elements.
  - (2) The temperatures are above 90° Fahrenheit for a sustained four (4) hour period, unless adequate shade is provided to protect the animal from the elements. Shelter as defined in this chapter may be used as shade if there is adequate relief from the heat or has additional shade covering.
- (c) No dog, tethered or untethered, shall be left outside unattended for a period of two (2) continuous hours without access to *shelter* as defined in this chapter regardless of temperature.
- (d) No ~~pet~~ dog, tethered or untethered, shall be kept in an area that exposes them to items that would cause unnecessary risk of harm, excessive animal waste, trash, standing water/mud, uncontrolled parasite or rodent infestation.

This section shall not apply to ~~animals~~ pets tethered as part of training for hunting or sport dogs, animals involved in public events (~~dog~~ shows, exhibitions, etc.) or animals at campgrounds located within the areas of Lexington County.

Nothing in this section shall be construed to prohibit a person from walking ~~an animal~~ pet on a hand-held leash and is under control of the person walking them.

**SEC. ~~10-42~~ 10-43. - 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 humanely euthanized.
- (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~~ 10-44. - 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~~ 10-45 -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 (12) weeks, unless such pet has been inoculated against rabies as provided in this section; unless the owner or caretaker 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 or caretaker 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 or caretaker, the name, breed, color and markings, age, sex of the pet 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 or caretaker 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/custodian or caretaker 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, at the discretion of the investigating Animal Control Officer and if the owner/custodian will sign an agreement assuming total responsibility for the safe confinement of the pet or other animal. In cases where the officer determines that confinement on the premises of the owner/custodian is not in the best interest of the animal's health or public safety, 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 (10) days. The Department of Health and Environmental Control or the County Animal 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 (10)

day period of confinement to determine whether such animal shows symptoms of rabies. No person shall obstruct or interfere with the County Animal 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 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 (6) months; except that, animals properly treated with Antirabic Vaccine shall be confined for a period of not less than three (3) 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 contacted 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):

(1) Family Varanidae (only water monitors and crocodile monitors).

(b) Order Crocrodilia (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.

### **DIVISION 4. – LIVESTOCK AND POULTRY**

#### **SEC. 10-95. PERMITTING LIVESTOCK AND POULTRY TO RUN ESTRAY UNLAWFUL.**

- (a) It shall be unlawful for any owner, custodian or person to willfully or negligently permit any live stock or poultry to run estray. Any owner, custodian or person violating the provisions of this article shall constitute a misdemeanor and shall be punishable under magistrate's court jurisdiction.
- (b) If an Animal Control Officer observes livestock or poultry estray, they may pursue the livestock or poultry onto private property.

#### **SEC. 10-96. NEGLECT OF LIVESTOCK OR POULTRY.**

- (a) It shall be unlawful for any owner or custodian to neglect any live stock or poultry. A person violating the provisions of this article shall constitute a misdemeanor and shall be punishable under magistrate's court jurisdiction.

#### **Sec. 10-97. IMPOUNDMENT OF LIVESTOCK OR POULTRY.**

- (a) Any livestock or poultry impounded by the County of Lexington shall be held at the County impound facility unless such impoundment is impractical for safety or medical concerns. Animals impounded at any alternate facilities by, or at the direction of, the County of Lexington shall be considered to be under the care and control of the County.
- (b) Immediately after impounding any livestock or poultry, the Animal Control Officer or designated personnel shall make a reasonable effort to notify the owner/custodian or caretaker of its impoundment and to inform the owner/custodian or caretaker of the conditions whereby they can regain custody of the animal.

**SEC. 10-.98 REDEMPTION OF IMPOUNDED LIVESTOCK OR POULTRY.**

- (a) Upon payment of redemption fees, the owner or custodian shall be entitled to resume possession of an impounded livestock or poultry held as estray, except in cases where the continued impoundment is determined to be in the best interest of the animal's health or public safety.
- (b) Lexington County Animal Services may hold any livestock or poultry pending Court for any violation of this section at the discretion of the Animal Services Director. Lexington County Animal Services may request the Court to order the surrender of any livestock or poultry where the Animal Services Director determines it is in the best interest of the animal or the public. If the Court grants the request, the livestock or poultry will become property of the Lexington County Animal Services who will determine the appropriate disposition of the animal.
- (c) The redemptions fees for livestock and poultry will be determined by the Animal Services Director. These fees will be determined based on the type of animal, length of impoundment, and care provided. Any fees in this subsection collected by Animal Services shall be turned over to the County Treasurer, who shall make a monthly accounting of such funds.

**SEC. 10-99. DISPOSITION OF LIVESTOCK OR POULTRY FOUND ESTRAY.**


- (a) Any livestock or poultry impounded under the provisions of this Article and not claimed by its owner within five (5) 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.

**This Ordinance shall become effective upon adoption.**

Enacted on this 11 day of January, 2022.

**LEXINGTON COUNTY, SOUTH CAROLINA**

{SEAL}

By:   
M. Todd Cullum, Council Chairman  
Scotty R. Whetstone

Attest:

By:   
Brittany Shumpert, Clerk to Council

First Reading: November 9, 2021  
Public Hearing: December 14, 2021  
Second Reading: December 14, 2021  
Third & Final Reading: January 11, 2022  
With Clerk of Court: \_\_\_\_\_



## COUNTY OF LEXINGTON

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**SCOTTY R. WHETSTONE, CHAIRMAN**  
**212 SOUTH LAKE DRIVE, SUITE 601**  
**LEXINGTON, SOUTH CAROLINA 29072**  
**TELEPHONE: (803) 785-8103 / FAX: (803) 785-8101**

February 14, 2022

The Honorable Daniel D. Davis  
Mayor, Town of Pine Ridge  
2757 Fish Hatchery Road  
West Columbia, SC 29172

Dear Mayor Davis:

Lexington County Council would like to inform you of changes that were adopted by our body on January 11, 2022 regarding the County's Animal Control Ordinance. The County of Lexington provides Animal Control Services inside your municipal borders by virtue of your municipality passing an ordinance adopting by reference to the County's Animal Control Ordinance as well as permitting the County of Lexington's staff to enforce the Ordinance.

The County has determined that guidelines should be established for the humane "Tethering" of pets and "Shelter" for dogs. The new additions to the County ordinance regarding tethering of pets and shelter for dogs can be found in the newly adopted Ordinance 21-20 in Section 10-42. Tethering and Shelter.

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 with this letter.

If you have any specific questions about the changes to the County's Animal Control Ordinance, please contact Roy Mefford, Lexington County Animal Services Director, at 803-767-7557.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Whetstone", is written over a faint, larger version of the same signature.

Scott Whetstone, Chairman

Enclosures

CC: Roy Mefford, Animal Services Director

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )  
TOWN OF PINE RIDGE )

RESOLUTION 2022-08

**RESOLUTION OF THE MAYOR AND COUNCIL  
FOR THE TOWN OF PINE RIDGE, SOUTH CAROLINA  
TO AUTHORIZE RECEIPT OF FUNDS AND DESIGNATE ALLOCATIONS FOR  
FUNDING WITH THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY  
FUNDS THROUGH THE AMERICAN RESCUE PLAN ACT.**

**WHEREAS**, the American Rescue Plan Act of 2021 (ARPA) appropriated funding to States for distribution to non-entitlement units of local government (NEUs); and

**WHEREAS**, the Town of Pine Ridge is a NEU as defined by ARPA; and

**WHEREAS**, funding will be distributed in two tranches to the Town by the State upon request and receipt of the State's payment from the U.S. Department of Treasury; and

**WHEREAS**, Fund 123, American Rescue Plan Fund, was established for receipt of the Town's allocation as well as expenditures, as appropriated by Town Council in accordance with guidance adopted by the U.S. Department of Treasury; and

**WHEREAS**, the Town received the first tranche of funding totaling \$291,762.12 in November 2021, with the second tranche expected in the fall of 2022; and

**WHEREAS**, the U.S. Department of Treasury issued an Interim Final Rule in May 2021 outlining anticipated State and Local Fiscal Recovery Funds (SLFRF) eligible uses and then issued its Final Rule which confirmed eligible uses in January 2022; and

**WHEREAS**, the Final Rule allows a municipality to elect a fixed amount of revenue loss, referred to as the standard allowance, of \$10,000,000 of its SLFRF allocation that can then be used to fund general government services; and

**WHEREAS**, eligible uses of SLFRF in addition to providing government services to the extent of revenue loss as defined by the Final Rule include: 1) support public health response and address negative economic impacts, 2) invest in water, sewer and broadband infrastructure 3) provide premium pay for essential workers; and

**WHEREAS**, all SLFRF funds received by the Town must be obligated to an eligible use by December 31, 2024 and spend by December 31, 2026.

STATE OF SOUTH CAROLINA )

COUNTY OF LEXINGTON )

RESOLUTION 2022-08

TOWN OF PINE RIDGE )

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council for the Town of Pine Ridge, South Carolina, in a meeting duly assembled and by the authority thereof, that:

- 1. The Town will follow the U.S. Department of Treasury’s Final Rule for expenditure of SLFRF.
- 2. The Town elects to use the standard allowance of \$10,000,000 for revenue loss and obligate to fund general government services.
- 3. Expenditure of SLFRF funds shall be approved by Town Council via resolution.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND COUNCIL OF THE TOWN OF PINE RIDGE, SOUTH CAROLINA, ON THIS 12<sup>TH</sup> DAY OF APRIL, 2022.

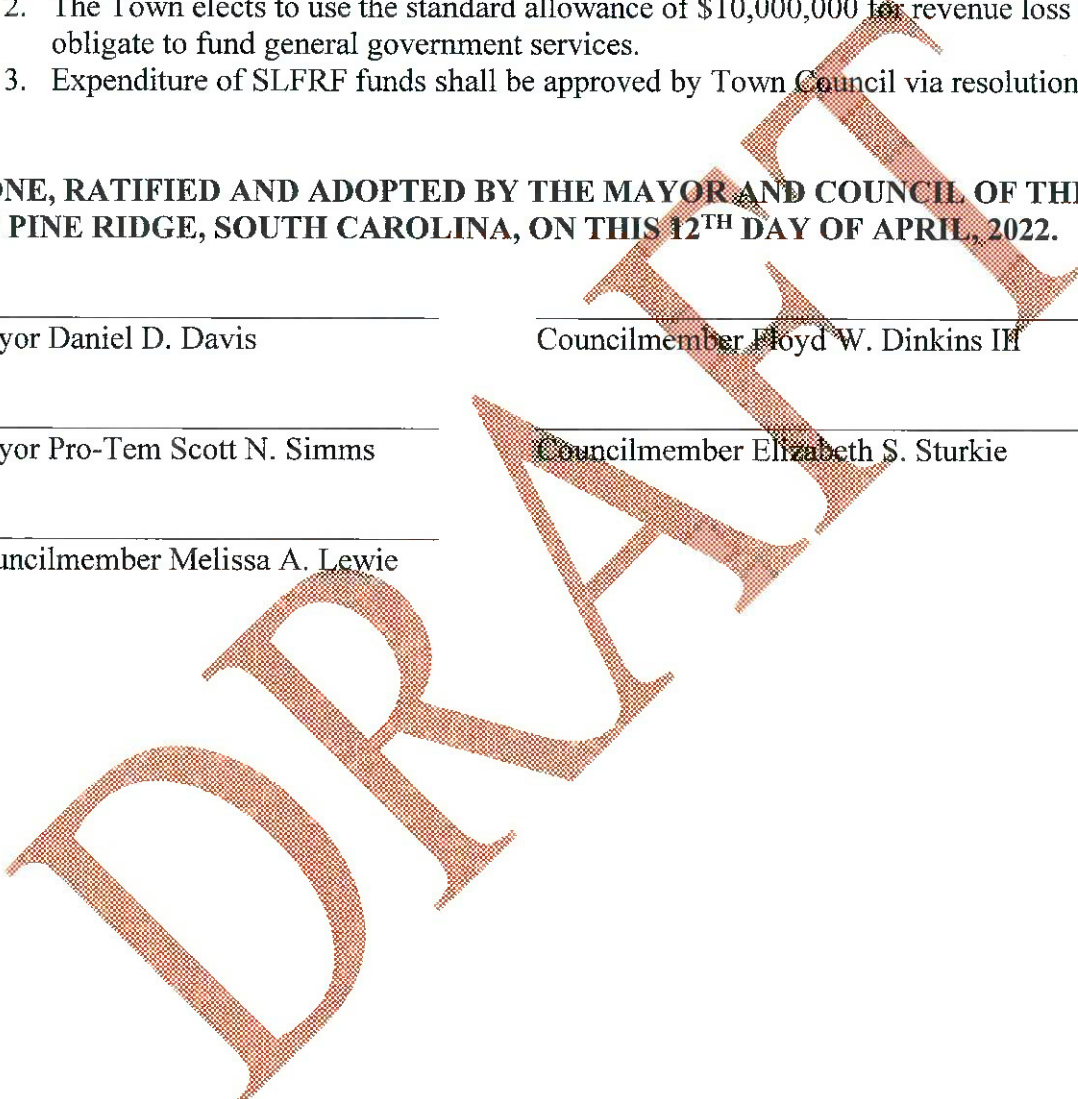
\_\_\_\_\_  
Mayor Daniel D. Davis

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Councilmember Floyd W. Dinkins III

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Mayor Pro-Tem Scott N. Simms

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Councilmember Elizabeth S. Sturkie

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Councilmember Melissa A. Lewie





STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )  
TOWN OF PINE RIDGE )

RESOLUTION 2022-09

**RESOLUTION OF THE MAYOR AND COUNCIL  
FOR THE TOWN OF PINE RIDGE, SOUTH CAROLINA  
APPROVING THE SCHOOL RESOURCE OFFICER AGREEMENT  
AND MEMORANDUM OF UNDERSTANDING**

**WHEREAS**, the Town of Pine Ridge Police Department has been awarded a grant from the South Carolina Department of Public Safety, Office of Highway Safety and Justice Programs in the amount of \$97,523 for the 2021/2022 school year beginning January 1, 2022 and ending June 30, 2022; and

**WHEREAS**, Lexington County School District Two has requested, and the Town has agreed, that the Town's Police Department will provide a School Resource Officer ("SRO") for Herbert A. Wood Elementary; and

**WHEREAS**, the Town finds that SROs fulfill a vital role in promoting communication and cooperation between the school district and law enforcement to support safe school communities and contribute to the learning process; and

**WHEREAS**, Lexington County School District has presented the Town with a School Resource Officer Agreement and Memorandum of Understanding; and

**WHEREAS**, S.C. Code Section 23-20-40(B), which is part of Chapter 20 of Title 23 of the State Code, provides that an agreement entered into pursuant to that chapter on behalf of a law enforcement agency must be approved by the appropriate governing body of the concerned county, municipality or other political subdivision; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Town of Pine Ridge, South Carolina, in Council duly assembled, that:

**Section 1.** The School Resource Officer Agreement and Memorandum of Understanding between the Town of Pine Ridge, its Police Department and Lexington County School District Two is hereby approved.

**Section 2.** The Mayor and the Police Chief are authorized to sign the Agreement and Memorandum of Understanding on behalf of the Town.

**Section 3.** This resolution is effective upon adoption.

**ADOPTED** this 12<sup>th</sup> day of April 2022.

\_\_\_\_\_  
Mayor Daniel D. Davis

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Mayor Pro-tem Scott N. Simms

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Councilmember Floyd W. Dinkins III

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Councilmember Elizabeth S. Sturkie

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Councilmember Melissa A. Lewie