

(F) In any criminal prosecution for violation of the provisions of §§ 6-22 *et seq.*, the defendant may plead, as a matter of defense, the full satisfaction of all reasonable demands of the party or parties aggrieved by the violation, and upon such plea being established and upon payment of all costs accrued up to the time of the plea he or she shall be discharged from further penalty. (See S.C. Code §47-7-170)

(G) Any animal found to be running at large may be captured, confined and/or impounded by an animal control officer and held in an animal shelter for a minimum period of five days. If the animal is not reclaimed by the owner as provided in this chapter, the animal may be humanely euthanized, adopted to a new owner, or sent to a rescue.

(H) Any animal observed by an animal control officer to be running at large and subsequently returning to the owners property when the owner is absent or away from the property may be removed from the owner's property and impounded if the animal control officer has reasonable cause to believe that the animal is running at large in violation of the provisions of this chapter and the animal will present a danger to itself, persons or other animals or be prejudicial to the safety of the public if the animal is left unrestrained.

(I) In the case of an impoundment of an animal under the provisions of §6-22, the animal control officer shall provide posted written notice upon the property in issue setting forth the date and time of impoundment and the procedures to follow in order to retrieve the owner's animal.

(J) The Animal Control Director, Supervisor or designee is authorized to hold identifiable animals and dispose of them if the owner fails to claim them. The Animal Control Director, Supervisor or designee must not euthanize any positively identifiable dog or cat until they have notified the owner at his or her last known address by registered mail that officers have the dog or cat in their possession. The owner must notify the animal shelter within two weeks after receipt of the registered letter than the owner will reclaim the dog or cat. If the owner does not reclaim the animal within two weeks of notification, it may be euthanized. Reasonable costs associated with the above extended holding period, including cost of mailing the required notice, must be paid before the dog or cat is returned to its owner, or the owner's designee, in addition to any other established costs, fines, fees, or other charges.

Any animal that has been impounded for five days and unclaimed by its owner will become the property of Chester County and may be disposed of as follows:

(k) An animal may be placed for adoption to a person 18 years or older upon compliance with the provisions and payment of the fees required by this chapter.

(L) An animal may be released to an approved animal rescue group as defined in this chapter if it has been determined that the animal is not suitable for adoption to the public or space at the animal shelter is not available to house that animal.

(M) An animal may be humanely euthanized if deemed to be unadoptable due to medical, behavioral or spatial issues.

Sec. 6-23. - Redemption.

(A) To obtain the release of an animal after impoundment, an owner must be at least 18 years old and also provide documentation that the animal is currently inoculated against rabies and also must pay the impoundment fee as specified in § 6:32 of this chapter.

(B) If an animal is not reclaimed by its owner within 24 hours of the impoundment of that animal, a boarding fee will be charged at the current established boarding rate for each day after the first day of impoundment.

(C) Pursuant to the provisions of S.C. Code § 47-3-55(C) and (E); all dogs and cats that are reclaimed from the animal shelter will have a microchip implanted with the associated cost of the microchip added to any impoundment and boarding fees. The owner redeeming his or her dog or cat must elect to have a microchip implanted.

(D) An increasing impoundment fee will be charged to an animal owner according to the schedule established in this chapter each time an animal belonging to the same owner is impounded up to three consecutive times. Any subsequent impoundments charged to the owner after three times will be charged at a rate equal to the third impoundment fee and for each time thereafter.

(1) In calculating the fees required under this section, no animal impoundments charged to the animal owner occurring more than three years before the current impoundment shall be considered.

(2) The Animal Control Director may, at his or her discretion, waive all fees for the first impoundment if, in the judgment of the Animal Control Director, a violation of this code is inadvertent and there are extenuating circumstances which would warrant the waiver of fees for a first impoundment.

(E) The Animal Control Director may prohibit an owner of any animal to reclaim the animal, which, by virtue of its temperament, size, behavior, history or any combination thereof, may present a danger to the safety of the public. Under this provision, the animal may be held at the Animal Shelter pending a hearing before a magistrate to determine if additional confinement measures are necessary. In the case of such a detention of an animal, boarding fees shall accrue pursuant to the schedule of fees set forth herein, but, may be waived by the magistrate upon a finding that additional confinement of the animal in issue is not necessary.

(F) All requests for information on circumstances and reasons why an animal was impounded must be requested through the Freedom of Information Act. A written request must be submitted stating what information is requested, and it must include the contact information for the person making the request.

Sec. 6-24. - Adoption.

(A) Any animal impounded under the provisions of this chapter may, at the end of the legal detention period be evaluated by the shelter staff and be eligible for adoption, at the discretion of the Animal Control Director or designee, by a person 18 years or older who will agree to comply with the provisions of this chapter. In determining whether an adoption is suitable for the animal, the behavior of the animal, how the animal responds to the prospective adopter, and any other characteristics of the animal or the placement that may affect the welfare of the animal or the prospective adopter.

(B) A person may be refused adoption of an animal by the Animal Control Director if it is determined that the person wishing to adopt an animal has a history of (as evinced by County records) or past conviction of abandonment, maltreatment, or any other violation of this chapter.

(C) The Animal Control Director, Supervisor or designee may schedule a home visit to verify the living conditions and health of the animal comply with the Animal Control Adoption Agreement. This home visit must occur no later than six months after the date of the adoption. Should the Animal Control Director, Supervisor or designee find the living conditions or health of the animal violate the Animal Control Adoption Agreement or these ordinances, he or she may schedule additional visits to ensure compliance or seek an order from the magistrate court allowing Animal Control to remove the animal from the adopter's home. Additionally, the Animal Control Director or designee may enforce any violations of this chapter observed during a home visit.

(D) If a licensed veterinarian certifies within three days of the adoption of an animal that the adopted animal is ill, sick or injured, the person to which the animal was adopted may request a refund or exchange the animal for another animal.

(Code 1998, § 6-106)

Sec. 6-25. - Public nuisance.

(A) It shall be unlawful for any person to own, keep, possess or maintain an animal in such a manner so as to constitute a public nuisance. By way of example, and not of limitation, the following acts or actions by an owner or possessor of any animal are hereby declared to be a public nuisance and unlawful.

(1) Maintaining property in a manner that is offensive, annoying or dangerous to the public health, safety or welfare of the community because of the number, type, variety, density or location of the animals on the property.

(2) Allowing or permitting an animal to bark, whine, or howl in an excessive, unwarranted and continuous or untimely fashion, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises. (change to city to enforce)

(3) Maintaining an animal that is diseased and dangerous to the public health.

(4) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks, or barks at pedestrians, bicycles or vehicles.

(B) A pet which has been determined to be a nuisance by the department of animal control may be impounded and may not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated.

(C) Every female pet in heat shall be kept confined in a building or boarded at a veterinarian's office in such a manner as will not create a nuisance by attracting other animals.

(D) Any person walking or owning an animal must clean up any waste deposited by the animal on public property or the private property of anyone other than the property of the animal's owner.

(E) It shall be unlawful for any person to hoard animals

(Code 1998, § 6-107)

Sec. 6-26. – Abandonment and Maltreatment prohibited.

(A) *Acts of agents imputed to corporations.* The knowledge and acts of agents and persons employed by corporations in regard to animal transported, owned or employed by or in the custody of the corporations shall be held to be the acts and knowledge of the corporations. (See S.C. Code § 47-1-20)

(B) *Ill-treatment of animal generally.* Whoever knowingly or intentionally overloads, overdrives, overworks, ill-treats any animal, deprives any animal of necessary sustenance or shelter, inflicts unnecessary pain or suffering upon any animal, or by omission or commission knowingly or intentionally causes these things to be done, for every offense is guilty of a misdemeanor.

(C) *Abandonment of animals.*

(1) A person may not abandon an animal. As used in this section **ABANDONMENT** is defined as deserting, forsaking, or intending to give up absolutely an animal without securing another owner or without providing the necessities of life. Necessities of life includes adequate water, adequate food, and adequate shelter, as defined in § 6-19.

(2) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be punished for each offense in the manner prescribed in §6:32. (See S.C. Code § 47-1-70)

(D) If an animal is found to be obviously abandoned by the owner or keeper, an animal control officer may impound that animal.

(E) No person shall cause, instigate, attend or permit any dog fight, cockfight, or other combat between animals or between animals and humans.

(F) *Poisoning animals.* No person shall intentionally place any known poisonous substance, whether mixed with food or not, in a place where an animal may eat the poisonous substance. However, it shall not be unlawful for a person to place poison on his or her property for the purpose of pest or vermin control.

(G) In a case of abandonment or maltreatment, an animal control officer may determine that removal of an animal is required to prevent further suffering or ill-treatment. In such case, an animal control officer may petition a magistrate as allowed under S.C. Code § 47-1-150(C) for an order allowing Animal Control to lawfully take custody of the animal or an order requiring the owner to provide certain care for the animal at the owner's expense. An animal control officer applying for an order must comply with all evidentiary, notice, and hearing requirements described in S.C. Code § 47-1-150.

(H) *Immunity from civil and criminal liability.* Any person, including a person licensed to practice veterinary medicine, or an animal control officer or agent of the South Carolina Society for the Prevention of Cruelty to Animals or any society incorporated for that purpose, who in good faith and without compensation for services provided, acting without malice, recklessness, or gross negligence, renders emergency care or treatment to a domestic animal which is abandoned, ill, injured, or in distress related to an accident or disaster shall not be liable or subject to any civil or criminal liability for any injuries or harm to the animal resulting from the rendering of such care or treatment, or any act or failure to act to provide or arrange for further medical treatment or care for the animal. (See S.C. Code § 47-1-75)

(Code 1998, § 6-109; Ord. No. 2018-4, 4-3-2018)

Sec. 6-27. - Euthanasia.

(A) The animal control department shall use injections of sodium pentobarbital as the sole method of euthanasia for animals. Intravenous injections of sodium pentobarbital shall be the primary method of euthanasia; however, intraperitoneal injections may be used to euthanize fractious and feral animals. It shall be unlawful for animal control personnel to give an intracardial injection of sodium pentobarbital to a conscious animal; however, an intracardial injection may be given to an unconscious animal which exhibits no eye reflexes.

(B) Sodium pentobarbital shall be administered only by animal control personnel certified by a licensed veterinarian. A log of use of sodium pentobarbital shall be maintained at the animal control shelter. Drugs at the animal control shelter shall be kept in locked storage accessible only by a certified animal control officer, and shall be maintained, used and disposed of in accordance with applicable county, state and federal regulations.

Sec. 6-28.- Restraint Requirements

(A) When a tether is utilized as a means of restraint, a responsible adult must be physically outdoors with their dog, and the dog must be under the owner's direct control. The tether must be at least ten feet in length, have swivels on both ends, and allow the animal to utilize the entire 360-degree circular area designated by the tether. The tether must allow the dog free access to food, water and shelter. Any tether must be attached to a properly fitting collar or harness worn by the dog and shall weigh no more than 10% of the dogs estimated body weight.

(B) Owners may use trolley systems, fences, ground tether and kennels for passive restraint of dogs.

(C) The primary usable trolley runner line must be suspended at least three feet above the dog's head, with at least ten feet in length between two pulley stop points. The secondary line attached to dog shall have a rolling trolley freely moveable a distance of at least ten feet on the primary trolley line with a spring/shock absorber attachment and swivels at both ends. The trolley system shall allow the dog unrestricted body movement and utilization of the entire area designated by the system, with a minimum of five feet lateral movement for the dog on each side of the primary trolley line, as measured on the ground. The trolley system must allow the dog free access to food, water, and shelter. The trolley system must be of appropriate configuration to prevent escape of the dog and confine the dog to the owner's property. The primary trolley line shall be used to restrain only one dog at a time.

(D) All collars used must be made of nylon, leather, or other durable and non-metallic material and must be fitted so as to not cause injury to the animal or embed itself in the dog's neck.

(E) Use of a chain, choke, or pinch collar for passive restraint is prohibited.

(F) Any dog that is restrained must be a sufficient distance from any other objects or debris so as to prohibit any tangling of the restraint or from extension over an object or an edge that could result in injury or strangulation of the dog.

(G) No animal shall be permitted to be on private property unless it is with the express permission of the property owner.

(H) An unspayed female dog must be confined within a building or secure fence or kennel to prevent potential contact with stray dogs.

(I) The area of every fence or kennel must measure at least ten feet by ten feet equal to 100sq ft.

(J) The ground tether has the following properties:

- a. A minimum ten-foot length;
- b. A swivel type termination at both ends;
- c. Is not made of chain;
- d. Total weight does not exceed ten percent of the animal's body weight,
- e. Is fabricated of a material that prevents tangles.

Sec 6-29. - Injured, Diseased and Dead Animals.

(A) It shall be unlawful for any person to intentionally strike an animal with an automobile or other vehicle.

(B) Any person injuring a dog or cat by striking it with an automobile or other vehicle shall notify the owner of the animal, if identification is possible, or shall notify the Animal Control Department if the animal cannot be identified.

(C) Any animal received by a veterinarian in critical condition from wounds, injuries or disease, may be destroyed if the owner cannot be contacted and the pet is suffering great pain.

(D) If an injured animal has been released to the shelter and is determined to be unadoptable to the public, the animal may be eligible for rescue by any approved animal rescue group after an evaluation by the shelter veterinarian. Upon rescue, the animal will become the property of the rescue organization. Injured or distressed animals that have been released to the shelter will not be held an unreasonable length of time awaiting pick up by a rescue organization.

(E) Whenever any animal shall die from any natural or other cause, the owner or keeper of the animal must bury the body, within 48 hours of the death of the animal, at least three feet underground. An owner or keeper may not dispose of any part of a dead animal in any lake, creek, pond, road, street, alley, or lane. An owner or keeper who fails to properly dispose of a dead animal as required violates this section and, in addition to the penalties prescribed in §6:32, must pay all costs incurred by Chester County for proper disposal of the animal.

Sec 6-30. -Violation of Owner Surrender Program.

Chester County Animal Control established policies and fees governing owner surrender of animals. Any person who brings an animal to Animal Control and turns over that animal as a stray when the person actually owns the animal violates this chapter and is subject to the penalties described in §6:32.

Sec. 6-31. -Records.

(A) Accurate records shall be kept by the animal shelter on all animals impounded as to whether they are redeemed, adopted or euthanized.

(B) Records shall also be kept on all cases involving animal bites.

Sec. 6-32. -Fees

(A) The fees set forth herein shall be applicable to the functions listed and such fees shall be turned over to the county treasurer, who shall make a monthly accounting of the funds.

Adoption Fee	\$50 Dogs	\$20 Cats
Impound Fee 1st Occurrence	\$50	
Impound Fee 2nd Occurrence	\$100	
Impound Fee 3rd Occurrence	\$125	
Impound Fee 4th (and subsequent Occurrence)	\$300	

Board Fee \$15/day for dogs, cats.

\$30/day for livestock and fowl

Microchip \$20

Owner Surrender Fee \$50 per animal or \$75 per litter of three or more animals

(B) *Special adoption events.* The Animal Control Director may reduce the adoption fee for a specific period of time to encourage adoptions. The Animal Control Director must publish on the county web site and post in the shelter an advertisement that states the beginning date, end date, and the adoption fee for the special adoption event.

Sec. 6-33 -Rules of Construction; Remedies Not Exclusive.

(A) Nothing in this chapter may be construed to limit the power of the county to prohibit animals from running at large, whether or not they have been inoculated as provided in this chapter; and nothing in this chapter may be construed to limit the power of the county to regulate and control animals in the unincorporated area of the county or to enforce other and additional measures for the restriction and control of rabies.

(B) The penalties imposed in this chapter are non-exclusive. In the event of any violation or proposed violation of this chapter, the county manager, the director of public works, or the Animal Shelter Director, or any adjacent, neighboring, or affected property owner who would be damaged by the violation may, in addition to other remedies, apply to a court of competent jurisdiction for injunctive relief, mandamus, a restraining order, or other appropriate relief in a civil proceeding to prevent, correct or abate the violation or threatened violation of this chapter, and pursue all such additional remedies which shall be cumulative to the penalties provided herein.

Sec. 6-34 -Penalty.

(A) Except as expressed within §6.22 (B), a person refusing to comply with the provisions of this chapter or violating any of the provisions of this chapter will be subject to the issuance of an ordinance summons for each offense and upon conviction shall be guilty of a misdemeanor and subject to fines not to exceed \$500 per offense and/or imprisonment not to exceed 30 days, and in addition, shall be liable for all court costs and fees, and further shall be liable to pay all costs and fees incurred in the provision of care for the animal and all related expenses.

(B) As more particularly described in §6.20, violations of §6.19 *et seq.* shall be enforced by any duly commissioned enforcement officer using the county ordinance summons or by the Chester County Sheriff or any duly constituted deputy sheriff.

(C) Nothing herein is intended to abrogate the counties or any citizen's civil remedies available under statutory or common law.

Section 47-3-1010. As used in this article, the term:

DOG BREEDER - means any person or business that owns, has custody of, or maintains 2 unaltered dogs over the age of six months that are capable of reproduction and kept primarily for the purpose of breeding and selling the offspring to a person, business, or pet store for resale as pets to the general public.

Investigator - means any animal control officer, public health or safety official, or law enforcement officer employed by the municipality or county where a dog breeder resides or maintains breeding operations.

Sec. 6-35-Breeding.

Section 47-3-1030.

(A) A animal breeder shall provide the following for each animal owned, kept, or maintained by that breeder:

- (1) access to exercise on a daily basis;
- (2) access to adequate food and water;
- (3) access to adequate food provided at appropriate intervals to maintain a healthy weight;
- (4) appropriate veterinary care, including routine and preventative care; by a licensed veterinary
- (5) each animal must be microchipped before being bred or released from the facility.
- (6) daily assessment of each animals' overall health and behavior;
- (7) appropriate and prompt treatment or attention to any deviation in health;
- (8) preventative care sufficient to keep animals free from internal and external parasites;
- (9) a primary enclosure that:
 - i. is constructed and maintained so that animals are securely confined;
 - ii. does not cause injury to the animals;
 - iii. protects the animals from extreme weather conditions;
 - iv. is maintained in a sanitary manner;
 - v. is large enough that each animal can sit, stand, lie down, or turn around comfortably with no overcrowding; and
 - vi. clean and free from debris and odor and shall remove feces and dispose of them as frequently as necessary so as not to pose a threat to the health of the animals;
- (10) protection from adverse or extreme weather conditions;
- (10) flooring that provides solid footing. If wire is used as flooring of a primary enclosure, it should be comprised of a material featuring a protective coating, be of an appropriate size to prevent injury, particularly to the animals feet, and

must be kept in good repair; If wire is used, a solid platform of sufficient size should be provided to allow the dogs to attain solid footing and to offer a space for resting;

(11) lighting, artificial or natural, that provides a regular lighting cycle for the animals;

(12) bedding material that is clean and does not pose a risk to the animals.

(B) An animal breeder shall maintain accurate records for at least five years that include:

(1) the date on which a animal enters the operation or business;

(2) the name of the person from whom the animal was purchased or obtained, including the address and phone number of the person;

(3) the name of the pet store or person the animal is sold to;

(4) a description of the animal, including the species, color, breed, sex, and approximate age and weight;

(5) any tattoo, microchip number, or other identification number carried by or appearing on the animal;

(6) each date that juveniles were born to the such animal and the number of.

(7) all medical care and vaccinations provided to the animal.

(8) A breeder may only breed a female dog after an annual certification examination by a licensed veterinarian which certifies that the dog is in suitable health for breeding and is under the age of eight years.

(9) An investigator may, upon receiving a complaint or upon their own suspicion, investigate any potential violation of the provisions of this article. The investigation may include the inspection of the books and records of the dog breeder, the inspection of any companion animal owned by the dog breeder, and the inspection of any place where animals are bred or maintained. The investigator may enter any premises, including the residence of the breeder, where animals may be bred or maintained during daytime hours while conducting the investigation.

(C) *Section 47-3-1060.* A person who violates a provision contained in this article, for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars and not more than one thousand dollars. A person convicted of a second or subsequent offense must be imprisoned not more than thirty days. Each violation shall constitute a separate offense. The provisions of this article are in addition to, and not in

lieu of, any other State or federal laws protecting animal welfare. This article shall not be construed to limit any State law or regulation protecting the welfare of animals, nor shall anything in this article prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section.

Breeders must purchase a breeders License of \$300.00 from the Chester County Animal Control.

(Exemptions for working animals and livestock defined §6.60)

6.36 KEEPING OR HARBORING STRAY ANIMALS.

(A) No person, without the actual consent of the owner, shall harbor, feed, keep in possession by confinement or otherwise have any animal which does not belong to such person, unless he has, within 24 hours of the time the animal came into his or her possession, notified the animal shelter. Upon receiving such notice, the animal shelter may choose to impound the animal.

(B) No person shall refuse to surrender a stray animal to an employee of the animal shelter upon demand.

Secs. 6-37—6-57. - Reserved.

ARTICLE III. - DANGEROUS ANIMALS

Sec. 6-58. - 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:

DANGEROUS ANIMAL.

(1) Any animal as defined in §6.19

(a) Which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked, cause injury, or otherwise endanger the safety of **human beings or animals**.

(b) Which:

1. Makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined as required by § 6.59;

2. Commits unprovoked acts in a place other than the place where the animal is confined as required by § 6-59 and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being.

3. Commits more than one unprovoked attack that injures or kills another animal and the attack occurs in a place other than the place where the animal is confined as required by § 6-59.

(c) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.

(2) Does not include:

(a) An animal used exclusively for agricultural purposes; or

(b) An animal which attacks a person who is trespassing or who appears to be trespassing. A **TRESPASSER** is a person who is not lawfully upon the premises of the owner, as set forth in S.C. Code § 47-3-770(A), incorporated herein.

(3) An animal is not a dangerous animal solely by virtue of its breed.

(4) As used herein, **INJURY** or **BODILY INJURY** including but not limited to broken bones, lacerations, punctures of the skin, or any physical injury resulting in death.

(Ord. No. 03-21-2007D, § 1, 3-21-2007)

Sec. 6-59. - Keeping of dangerous animals.

(A) *Restraint and confinement.* The owner shall confine, within a building or secure enclosure, any dangerous animal and shall not take the animal out of the building or enclosure unless the animal is securely muzzled and under restraint, or under the physical control of its owner. No person owning or harboring or having the care or the custody of a dangerous animal may permit the animal to go unconfined on his or her premises. A dangerous animal is unconfined as used in this section if the 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 animal. (See S.C. Code § 47-3-720)

(B) Owning or harboring animal for fighting or attacking humans or domestic animals is prohibited. Selling, breeding, buying or attempting to buy, or intent to do same is prohibited. Exceptions:

(1) No person may own or harbor an animal for the purpose of fighting or train, torment, badger, bait, or use an animal for the purpose of causing or encouraging the animal to unprovoked attacks upon human beings or domestic animals.

(2) No person may possess with intent to sell, offer for sale, breed, or buy or attempt to buy a known dangerous animal, however this division does not apply to a person who is licensed to possess and breed an animal under the classifications specified and regulated by the United States Department of Agriculture under the Animal Welfare Act as codified in U.S.C. Title 7.

(C) *Seizure and impoundment of dangerous animal.*

(1) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or municipal government to provide animal control services has probable cause to believe that a dangerous animal is being harbored or cared for in violation of S.C. Code §§ 47-3-720, 47-3-740, or 47-3-760(E), the agent or officer may petition the court having jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.

(2) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or municipal government to provide animal control services has probable cause to believe that a dangerous animal is being harbored or housed in violation of S.C. Code § 47-3-730, the agent or officer may seize and impound the dangerous animal while the trial is pending.

Sec. 6-60. - Exemptions.

The provisions of this article shall not apply to:

- (A) The provisions of §6.35 (A) of this chapter shall not apply to hunting dogs while engaged in hunting or training exercises while on the property of the owner or property of a consenting landowner. The hunting dogs are permitted to be under voice control or electronic tracking control rather than under the restraint required in §6 28(A) of this chapter.
- (B) The provisions of §6.35 of this chapter shall not apply to Livestock or Working Animals.
- (C) The provisions of §6.22 of this chapter shall not apply to a working dog or trained guard dog actively engaged in protection or working of livestock while on the property of the owner or property of a consenting landowner. The dog is allowed to cross an intersecting public right-of-way while actively engaged in protection or working of livestock. The working or trained guard dog is permitted to be under voice control or electronic tracking control rather than under the restraint required in §6.22 of this chapter.
- (D) If any dog strays on public property or private property without permission of the landowner, the exception contained in this section shall not apply, and the owner of the dog shall be in violation of the provisions of this chapter.
- (E) Animal control or law enforcement agencies or officers acting under the authority of this act.

(F) Licensed veterinary hospitals or clinics in possession of dangerous animals for treatment or rehabilitation purposes.

(G) Any county resident living within the boundaries of the county and having preexisting ownership of a dangerous animal holding appropriate and current licensing at the effective date of the ordinance from which this article is derived shall within 30-calendar days of the effective date of the ordinance from which this article is derived contact the county animal control to register the dangerous animal with the county. All persons, firms or corporations keeping or owning dangerous animals in the county shall pay a yearly fee of \$100.00 per location. Failure to register a dangerous animal or to pay the annual fee shall be governed by [§6-59](#).

(Ord. No. 03-21-2007D, § 3, 3-21-2007)

Sec. 6-61. - Animal facilities.

(a) Any person, firm or corporation keeping or owning dangerous animals in the county shall comply with guidelines established by the United States Department of Agriculture for the purpose of construction of cages, housing of animals and subsequent care of animals. Temporary housing of any type will be prohibited.

(b) Any person, firm or corporation keeping or owning dangerous animals in the county shall comply with all regulations promulgated by any other state or federal agency, including, but not limited to, the Animal Welfare Act (7 USC 2131 et seq.) and its subsequent amendments and the regulations adopted under that act and the Captive Wildlife Safety Act (16 USC 3372 et seq.) and its subsequent amendments and the regulations adopted under that act.

(c) Any person, firm or corporation keeping or owning dangerous animals in the county shall have adequate locks upon the cages housing said animals. The county animal control officers shall have the authority to inspect the locks on each cage housing dangerous animals.

(d) Animal Control Officers may enter the exterior area of private property for the purpose of inspecting the premises to determine if owners of animals complied with the provisions of this chapter.

(e) There shall be no trees or any other structures, which could in any way assist the animal in climbing or jumping, located within 15 feet of the cage side.

(f) Any USDA licensed exhibitor must have a mobile facility for any dangerous animal that is taken out of a stationary facility. Such animals shall not be allowed out of a caged area at any time. These animals must be led to and from their cage to the mobile facility through a totally enclosed caged corridor.

(g) The owner or owner's designee of any person, firm or corporation owning dangerous animals in the county on the effective date of the ordinance from which this article is derived must have permanent residential housing on the property where the said dangerous animals are located and must have an individual available on site on a 24-hour basis.

(h) Any violation of this article shall be punishable by a fine of up to \$1,000.00 in addition to stated fines and costs.

(Ord. No. 03-21-2007D, § 4, 3-21-2007)



STATE OF SOUTH CAROLINA)
)
COUNTY OF CHESTER)

Ordinance No. 2023-9

AN ORDINANCE ESTABLISHING A SOCIAL MEDIA POLICY FOR CHESTER COUNTY

WHEREAS, Chester County has the authority under S.C. Code §4-9-30 to adopt ordinances and to promulgate rules and regulations pertaining to its government and affairs, and to review interpret and amend its ordinances, rules and regulations; and

WHEREAS, Chester County Council is empowered by the provisions of S.C. Code S.C. Code Ann. §4-9-30(5), as amended to enact ordinances and policies relating to the management of the County in accordance with existing laws, and regulations; and

WHEREAS, Chester County endorses the secure use of social media tools to enhance communication, collaboration, and information exchange, streamline processes, and foster productivity improvements; and

WHEREAS, the County wishes to provide the use of Facebook or other public technology to involve only the sharing of information in an Information Sharing Only designation; and

WHEREAS, the County shall communicate on social media platforms in accordance with the Social Media Policy as described in Exhibit A of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL FOR CHESTER COUNTY, SOUTH CAROLINA, DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:

Chester County Council does hereby adopt the Social Media Policy as attached herein as Exhibit A, and incorporated by reference into this Ordinance.

This Ordinance shall be effective upon adoption by the Chester County Council on the date of the final reading approval.

Enacted and approved this ____ day of _____, 2023.

CHESTER COUNTY, SOUTH CAROLINA

By: _____

Joseph R. Branham
Chair, Chester County Council

Attest:

By: _____

Clerk to County Council
Chester County, South Carolina

First Reading: _____, 2023

Second Reading: _____, 2023

Public Hearing: _____, 2023

Third Reading: _____, 2023

Chester County, South Carolina



CHESTER COUNTY SOCIAL MEDIA POLICY

February 2023

General Overview

To address the fast-changing landscape of the Internet and the way citizens communicate and obtain information online, Chester County may consider participating in social media to reach a broader audience. Chester County supports the use of social media to further the goals of the County and the missions of its departments where appropriate.

Chester County endorses the secure use of social media tools to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity improvements. However, their application must not compromise data confidentiality and integrity. This policy establishes guidelines for the use of social media.

Social media offers government new ways of informing the public, engaging residents and targeting constituents with enlightening messages at a low cost. Creating a public common commentary online is not without difficulties. Moving forward in a deliberate, thoughtful manner is the County's chosen approach. By implementing effective policies, we can avoid those difficulties.

The Chester County Employee Handbook specifically addresses the use of social media by County employees. The purpose of this policy is to address the County's use of social media to communicate with the public during its interactions with the citizens of the County.

General Policy

It is the policy of Chester County to provide the use of Facebook or other public technology to involve only the sharing of information with no posting of information by anyone other than the County, and is not to be considered a type of public forum, whether now or in the future. The County does provide a live public forum where citizens may attend, in person, any County Council meeting and sign up to be heard, and encourages anyone who wants to be heard by Chester County Council to attend these meeting.

The County's use of Facebook shall be to provide information only and not to be a public forum. All comments shall be turned off prior to the opening of all Council meetings and will remain off during the entire meeting.

The United States Constitution protects the freedom of speech of citizens from undue restrictions by the government. Because the County is a government actor, the ways in which they can limit speech are restricted by constitutional protections, including the First Amendment.

To the extent that social media sites or resources permit users other than the County to generate content, such as by posting comments, the County must be cautious when deciding whether to permit such user-generated content. The County must decide which designation for its use of the social media and follow certain requirements before utilizing the social media site. Chester County has determined that it is appropriate for it to use

the Information Sharing Only requirements of the use of social media.

Specific Policy

It is the intent of Chester County to only share information with its use of Facebook or other social media platforms. The purpose of the County's use of this site/service is to provide access to all meetings of the County Council. The use of this site/service will not be accessible for comments to be posted directly by other users of this site/service but instead is intended for dissemination of information to interested users or subscribers. Chester County does reserve the right to re-post questions, ecomments, comments or other information provided by users to the County, for example by the creation of a frequently asked questions (FAQ) list or any other method, but such use of information submitted is done at the sole discretion of the Count and constitutes the sharing of relevant information by the County rather than by any individual who submits information.

This policy is being adopted by ordinance by the Chester County Council and can be amended by a subsequent ordinance in accordance with Title 4 of the South Carolina Code of Ordinances.

Chester County Planning Commission Minutes

December 20, 2022

CCMA22-24 Jeremiah Kibbey requests Tax Map# 101-00-00-099-000 at 2115 Great Falls Hwy., Blackstock, SC 29014 to be rezoned from Rural 2 (R2) to General Residential District (RG-2).

Jeremiah John Kibbey stated he lives at 2115 Great Falls Hwy., Blackstock, SC 29014 and his request is to rezone his property from R2 to RG-2 to allow another residence on the property which is just under 4 acres. His parents are getting older and having health problems and need his assistance.

Vice Chairman Smith asked if anyone had any questions. There were none. Vice Chairman Smith motioned to approve, second by Commissioner Howell. Vote 5-0 Approved.



Chester County, South Carolina
 Department of Planning, Building & Zoning
 1476 J.A. Cochran Bypass
 Chester, SC 29706

Zoning Map Amendment (Rezoning) Application

Fee: Residential \$150.00, Non-Residential \$300.00, Planned Development \$1000.00

Meeting Date: 12.20.22 Case # CCMA22-24 Invoice# 5845

The applicant hereby requests that the property described to be rezoned from R-2 to RG-2

Please give your reason for this rezoning request:

I would like to add A mobile home to my property for my Parents who have health conditions and require help. I have 3.996 Acres with one Dwelling on property Now.

Copy of plat must be presented with the application request

Designation of Agent (complete only if owner is not applicant): I (we) hereby appoint the person named as applicant as my (our) agent to represent me (us) in this request for rezoning. A Corporate Resolution letter or a permission letter must be presented at the time of application request. NAICS CODE: _____

Property Address Information

Property address: 2115 Great Falls Rd Blackstock SC 29014
 Tax Map Number: ~~101-00-00-000-000~~ Acres: 3.996
101-00-00-000-000

Any structures on the property: yes no . If you checked yes, draw locations of structures on plat or blank paper.

PLEASE PRINT:

Applicant(s): Jeremiah Hibbey
 Address 2115 Great Falls Rd Blackstock SC 29014
 Telephone: [REDACTED] cell [REDACTED] work _____
 E-Mail Address: [REDACTED]

Owner(s) if other than applicant(s): _____
 Address: _____
 Telephone: _____ cell _____ work _____
 E-Mail Address: _____

I (we) hereby agree that this information I (we) have presented is correct. Insufficient information may result in a denial of your request.

Owner's signature: [Signature] Date: 10/20/2022
 Applicant signature: [Signature] Date: 10/20/2022

Make 110 pg. 111

110 pg. 111

PLAT OF SURVEY FOR
 HEYWARD MOSER
 BEING A 3.996 ACRE PORTION OF
 MARILYN L. MOSER PROPERTY
 LOCATED ON S.C. HWY. 97
 HAZELWOOD TOWNSHIP, CHESTER COUNTY, SOUTH CAROLINA
 MARCH 10, 1997
 REFERENCE: TAX MAP/1101-0-0-52
 PLAT BOOK "WPG. 89"

RCPT# 011fl.../tl°
 CI: :
 CHEST=:
 SEP 4 1 07 PM '97

FILED

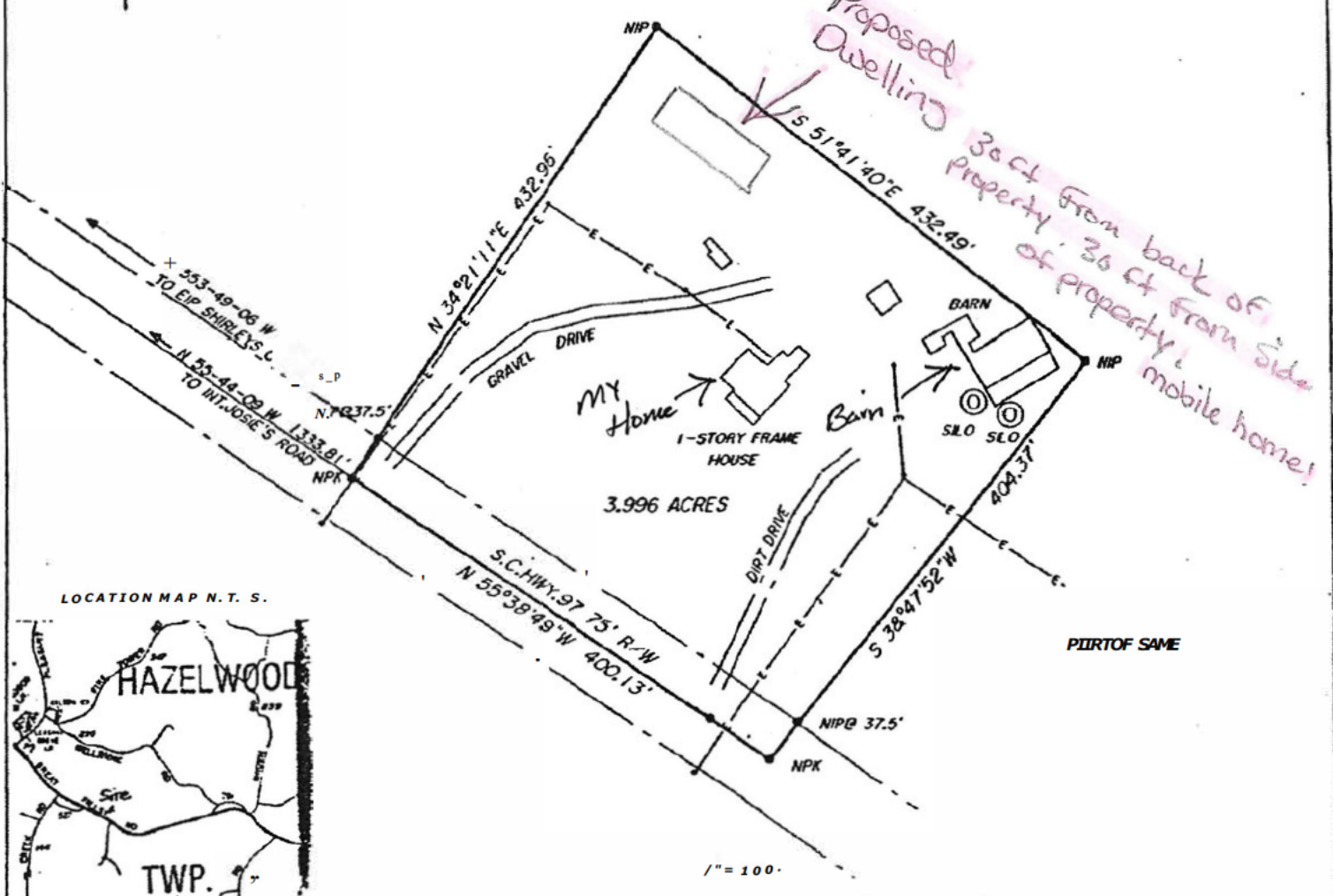
MAGNETIC NORTH

094415

Time 1:07 pm
 Recorded
 Month 09 Date 09 1997
 Book 115 Page 68
 Clerk of Court
 Chester Co. SC

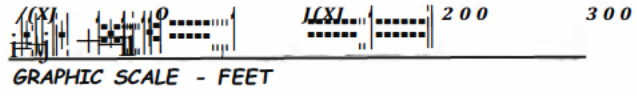
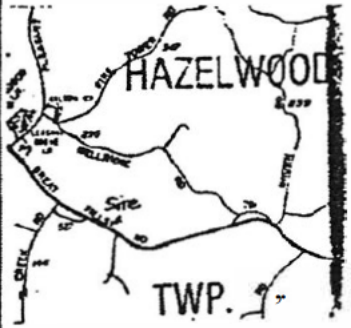
The publication of this plat has been approved by the County Land Development and Planning Commission of Chester County.
 9/2/97
 181/c
 Chester County Planning Commission

TAX MAP 1101-0-0-5
 MARILYN L. MOSEH
 0.8.404 PG. 509: P.B. 74 PG. 89



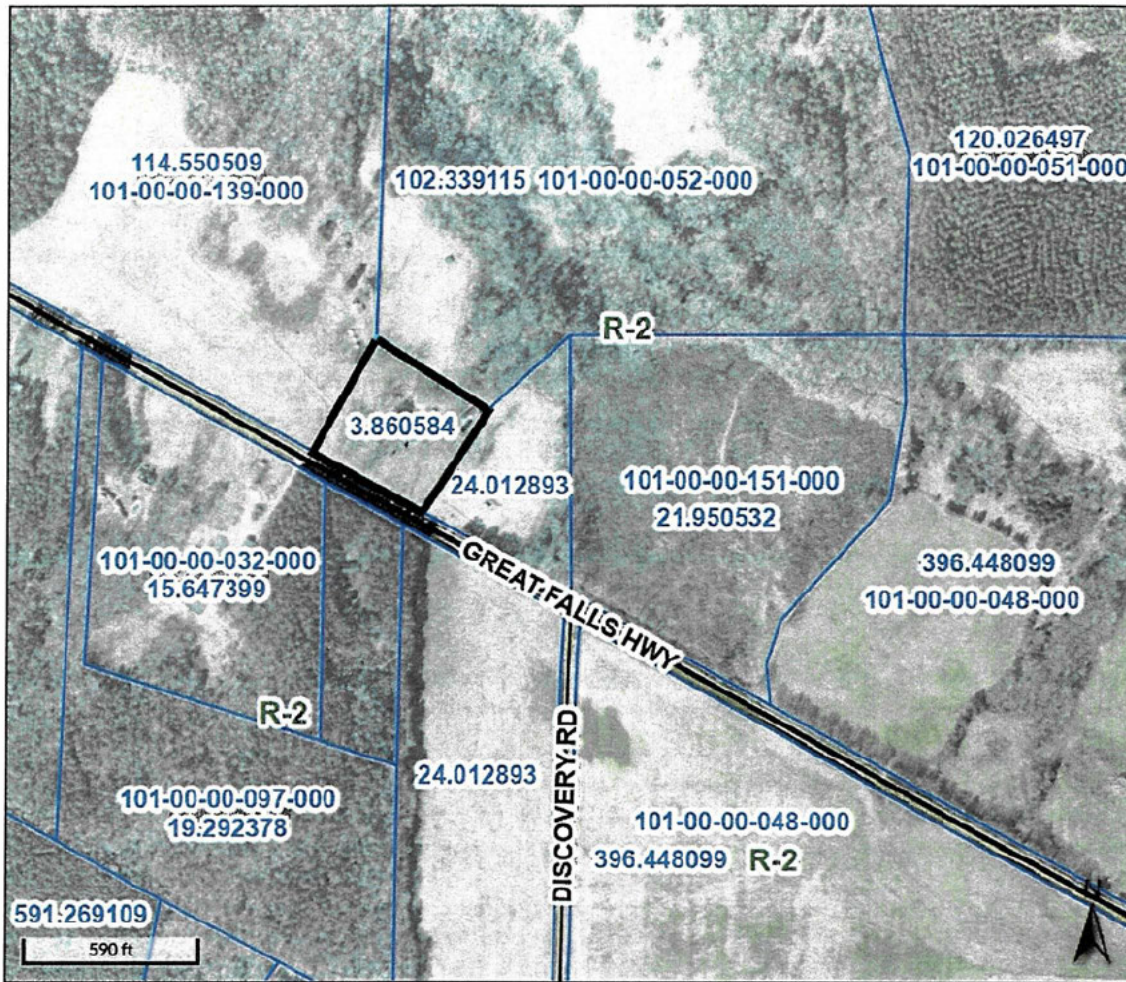
Proposed Dwelling
 36 ft from back of property
 36 ft from side of property
 mobile home!

LOCATION MAP N. T. S.

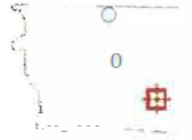


NOTE:
 EIP = EXISTING IRON PIN
 NIP = NEW IRON PIN
 A.F. = ALIEN

INFORMATION: SHOWN HEREON IS THE RESULT OF A SURVEY...
 INFORMATION FOR THE SUPERVISION OF...
 COLLECTED OR I/F DAIC - MOBILE...
 ALCOHOLIC...
 OF IN/O SUIT...
 CIVIL... 04/1/97... 1/1/97...



Overview



Parcel ID	101-00-00-099-000	Alternate ID	n/a	Owner Address	RALLINGSARNOLD HANNAH
Sec/Twp/Rng	n/a	Class	R		ELIZABETH
Property Address	2115 GREAT FALLS HWY	Acreeage	3.861		2115 GREATFALLS HIGHWAY
					BLACKSTOCK SC 29014

District 01
Brief Tax Description n/a
 (Note: Not to be used on legal documents)

Date created: 10/24/2022
 LastData Uploaded: 10/24/2022 3:29:24AM

Developed by, L. **Schneider**
 GEOSPATIAL

Next Year (2023) Changes

Search Options

Map Number 101-00-00-099-000 iReal 100336197

History Year 1

Alerts

Has Additional Comments
Current Year Record Exists

Name 1 KIBBEY JEREMIAH J

Other Map Number

find

Owner Information

Post Initials	1	Reason for Change		Activity Date	09/27/2022
Name2				Land Value	39,900
Address 1	2m GREAT FALLS HWY			Building Value	293,900
Address 2	BLACKSTOCK SC			Total Market Value	333,800
Zip Code	129014 1			Total Tax Value	333,800

Codes

District	r01	Fire Code	1sc 3	jsOUTHCHESTER
Town		Neighborhood	IR2 3	IRURAL2
Subdivision	3	Use Class	i j	
Description				
Legal				

Location Street Number 2115 Street Name GREAT FALLS HWY Suffi 1 Direction j

Additional Information

Appraisal Appeal	31	Owner Occupied	1	TIF	r	Base	
Agricultural Use	r3'	Reappraisal Notice	r-3	MCIP	r	Industrial Park ID	
Rollback	! 1			EMempt	r		

Conditions applicable to properties included within the Luck Stone Corporation (the "Applicant") application for rezoning of properties located in Chester County, South Carolina shown on the plan dated November 11, 2022, entitled "Proposed Zoning and Special Exception Plan" as (i) "ID1" containing 79.41 acres (the "ID1 Property"), (ii) "GC" containing 25.72 acres (the "GC Property"), (iii) "ID3" containing 247.87 acres (the "ID3 Property") and (iv) "AG" containing 90.39 acres (the "AG Property").

Condition applicable to all properties:

Prior to issuance of any County permits for development of the parcels included within the application for rezoning, the Applicant shall submit an application for subdivision/boundary line adjustment of all parcels included within the application for rezoning to provide for the adjustment of parcel boundaries by zoning classification so that no parcel shall be split-zoned (include more than one zoning classification) and that all parcels are in compliance with the County subdivision ordinance.

Conditions applicable to the ID1 Property:

1. **Prohibited Uses.** No portion of the ID1 Property shall be used for any of the following uses:
 - i. Grain Milling
 - ii. Reconstituted wood products
 - iii. Converted Paper Products
 - iv. Mineral and Earth
 - v. Misc. Nonmetallic Mineral
 - vi. Aluminum Production
2. **Dedication of Easement for Public Park.** Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within five (5) years after commencement of mining activities on the ID3 Property. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement.
3. **Entrance Landscaping and Beautification.** The entrance to the ID1 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID1 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the GC Property and the ID3 Property to provide a consistent appearance for all such entrances.

4.

Conditions applicable to all areas rezoned to the GC classification (the “GC Property”):

1. Dedication of Property for Governmental Use. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County of one or more parcels containing a total of not less than fifteen (15) acres for governmental uses (the “Governmental Use Property”) as generally shown on the plan included in this application entitled “Updated and Compiled General Development Plan”. The County may accept the offer of dedication at any time within ~~five~~six (56) years after delivery by Applicant to the County of written notice of the commencement of mining activities on the ID3 Property; provided, however, that if the County does not respond to the offer of dedication, then Applicant shall send the County a written notice at the end of the 6-year period and the County shall have one (1) additional year to accept the offer of dedication. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a current survey of the Governmental Use Property and payment of costs to prepare and record the deed of dedication. The deed of dedication shall restrict use of the Governmental Use Property to use by the County or other governmental entities unless otherwise approved by the owner of the ID3 Property. For purposes of this condition, all written notices to the County shall be delivered to the County attorney, with copies to each of the County’s zoning administrator, the clerk of the County Council, and the County’s administrator (or their equivalents at the time of such notice).
2. Entrance Landscaping and Beautification. The entrance to the GC Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the GC Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the ID3 Property to provide a consistent appearance for all such entrances.
3. Cemetery Access. The cemetery located on the GC Property will remain undisturbed and reasonable access will be provided to relatives and descendants of persons buried in the cemetery for the limited purposes of visiting graves, maintaining the gravesite or cemetery or conducting genealogy research. ~~Such access~~Access for such relatives and descendants shall not include the right to operate motor vehicles on the GC Property other than within any driveways and parking areas as may be located on the GC Property from time to time. The owner of the ID3 Property shall mow and remove saplings, on a bi-annual basis, within a 20’ wide area around the demarcated outside boundary of the cemetery (provided the owner shall not be obligated to conduct any maintenance within the cemetery itself).

Condition applicable to the area rezoned to the AG classification (the “AG Property”):

The Applicant will enter into discussions with representatives of the County schools to explore the use of a portion of the AG Property for an agricultural education program which may

Luck Companies - Chester County, SC: Rezoning and Special Exception Conditions

include the cultivation of trees or other crops to provide a hands-on learning experience. If the County schools are interested, the Applicant will work with the County schools in good faith to agree upon the terms and conditions of a lease of up to one half (1/2) of the AG Property for \$1.00/year for a term of up to fifteen (15) years or as may otherwise be agreed upon by the County schools and the Applicant.

Conditions applicable to all areas rezoned to the ID3 classification (the "ID3 Property"):

1. No portion of the ID3 Property shall be used for any of the following uses:
 - i. Biological and allied wholesaling
 - ii. Manufacturing of animal, chemical, gas, or arms and munitions
 - iii. Petroleum storage for wholesaling (except to supply uses on the ID3 Property)
 - iv. Fuel dealers, retail (except to supply uses on the ID3 Property)
 - v. Hazardous waste carriers
 - vi. Municipal solid waste landfill
 - vii. Airport

2. Entrance Landscaping and Beautification. The entrance to the ID3 Property from Highway 9 shall be landscaped in accordance with a plan to be submitted by the Applicant to the County as part of the site plan for development of the ID3 Property. The design and materials included in the landscape plan for this entrance shall be similar to the design and materials included in the landscape plans for entrances to the ID1 Property and the GC Property to provide a consistent appearance for all such entrances.

3. Screening and Visual Line of Sight. Mining activities and related uses on the ID3 Property shall be screened from visibility from Highway 9 using berms and landscaping or other means proposed by the Applicant and approved by the County in connection with the review and approval of a site plan for development of the ID3 Property.

5. Dedication of Easement for Public Park. Subject to and upon approval of the rezoning of the ID3 Property, approval of a special exception for mining activities and related uses on the ID3 Property and commencement of mining activities on the ID3 Property, the Applicant shall offer for dedication to the County an easement over an across the area containing approximately fifteen (15) acres (the "Park and Trail Easement") shown on the plan included in this application dated November 11, 2022 and entitled "Updated and Compiled General Development Plan" (the "GDP") on commercially reasonable terms and conditions for a public park and trail system along Rocky Creek together with a right of access to and from Highway 9 as shown on the GDP. The County may accept the offer of dedication at any time within ~~five~~^{six} (5~~6~~⁶) years after delivery by Applicant to the County of written notice of the commencement of mining activities on the ID3 Property; provided, however, that if the County does not respond to the offer of dedication, then Applicant shall send the County a written notice at the end of the 6-year period and the County shall have one (1) additional year to accept the offer of dedication. If the offer of dedication is not accepted within such period, the offer of dedication shall be void and of no further effect. The Applicant shall be responsible for preparation, at its expense, of a survey of the Park and Trail Easement and payment of costs to prepare and record the easement agreement. For purposes of this condition, all written notices to the County shall be delivered to the County attorney, with copies to each of the County's zoning administrator, the clerk of