

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR FAIRFIELD COUNTY  
ORDINANCE NO. 838**

**AN ORDINANCE TO AMEND ORDINANCE NO. 737 TO ESTABLISH THE RULES  
AND REGULATIONS PERTAINING TO ANIMAL CONTROL IN FAIRFIELD  
COUNTY AND REVISE CHAPTER 4, ANIMALS, OF THE CODE OF ORDINANCES,  
FAIRFIELD COUNTY, SOUTH CAROLINA.**

**WHEREAS**, South Carolina Code Ann. § 4-9-25 confers upon counties the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and general law of the State of South Carolina, including the exercise of these powers in relation to health and order in counties or respecting any subject as appears to them necessary and proper for the security, general welfare, and convenience of counties or for preserving health, peace, order, and good government in them; and

**WHEREAS**, South Carolina Code Ann. § 47-3-20 provides that the governing body of each county or municipality in this State may enact ordinances and promulgate regulations for the care and control of dogs, cats, and other animals and to prescribe penalties for violations; and

**WHEREAS**, Fairfield County Council wishes to provide for the public health and safety by regulating the care and control of dogs, cats, and other animals consistent with South Carolina law all for the public good.

**NOW, THEREFORE, BE IT ORDAINED** that Fairfield County Council hereby amends Ordinance No. 737 to establish the rules and regulations pertaining to animal control in Fairfield County and hereby revises Chapter 4, Animals, of the Code of Ordinances, Fairfield County, South Carolina as follows.

State law reference(s) – Cruelty to animals, South Carolina Code Ann. § 47-1-10 *et seq.*; sheep-killing dogs, § 47-3-210 *et seq.*; rabies control, § 47-5-10 *et seq.*; uninoculated pets, § 47-5-130; ordinances and regulations for the control of dogs and other domestic pets, § 47-3-20 *et seq.*

**Chapter Four Animals**

**Sec. 4-1. Definitions.**

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

*Abandon* shall mean to desert, forsake, or intend to give up absolutely an animal without securing another owner.

*Animal* shall mean, in addition to dog and cat, any organism of the kingdom of Animalia, other than a human being.

*Animal control officer* shall mean any person employed by the county to enforce the animal control program.

*Animal shelter* shall mean any premises designated by the county for the purpose of

impounding, care, adoption, or euthanasia of dogs and cats held under authority of this chapter.

*At large* shall mean a pet running off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device.

Commercial breeding kennel/cattery means any person, corporation, partnership, or other legal entity that owns, keeps, harbors, or is a custodian of pets kept or used for stud for which a fee is charged and/or for breeding purposes for which a fee is charged for the offspring.

Commercial breeding kennel/cattery shall not include:

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

*Exotic animal* shall mean those species of animals that are exotic to humans. Exotic animals include, but are not limited to:

- a. Order Artiodactyla (only hippopotamuses and giraffes).
- b. Order Carnivora (only those specified below).
  - i. Family Felidae [(all species except domestic cats) this includes lions, tigers, cougars, leopards, ocelots, servals].
  - ii. Family Canidae (only wolves, coyotes and jackals).
  - iii. Family Ursidae (all bears).
  - iv. Family Hyaenidae (hyenas).
- c. Order Perissodactyla (only rhinoceroses).
- d. Order Primates (only gorillas).
- e. Order Proboscidae (elephants).

(2) Class Reptilia.

- a. Order Squamata (only varanidae family animals specified below).
- b. Family Varanidae (only water monitors and crocodile monitors).
- c. Order Crocodylia (such as crocodiles, alligators, caimans, gavials, etc.) all species.

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

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

*Kennel* means any lot, building, structure, enclosure or premises whereon or wherein four or more dogs are kept or maintained for any commercial purpose; provided, however, that if other animals or birds or fowl are bought, sold or bartered, the classification to apply shall be that of a pet shop; and provided, further, that the term "dog kennel" shall not be construed as applying to a duly licensed veterinary hospital.

*Pet shop* means any lot, building, structure, enclosure or premises whereon or wherein is carried on a business of buying and/or selling or bartering birds, animals or fowl; but this definition shall not be construed as applying to the buying or selling of livestock, nor to the business or activities of a duly licensed veterinary hospital, nor to a duly licensed dog kennel.

*Litter* shall mean multiple offspring that are born at one time from the same mother.

*Nuisance* shall mean an animal that disturbs the rights of, threatens the safety of, or

damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

*Owner* shall mean any person who:

- (1) Has a property right in an animal;
- (2) Keeps or harbors an animal or who has it in his or her care or acts as its custodian;  
or
- (3) Permits an animal to remain on or about any premises occupied by him or her for ten (10) days.

*Pet* shall mean a domestic dog (*canis familiaris*) and/or a domestic cat (*felis catus domesticus*).

*Shelter* shall mean a structure, including but not limited to, a dog house or a stable that protects an animal from the sun, rain, and other inclement weather or environmental conditions.

*Under restraint* shall mean a pet that is on the premise of its owner if accompanied by its owner or keeper and under the physical control of the owner or keeper by means of a leash or other similar restraining device.

#### **Sec. 4-2. Dangerous or vicious animals.**

(a) 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 premises. A dangerous animal is unconfined as the term is used in this section if the animal is not securely confined indoors or confined in a securely enclosed and locked pen or “run” area upon the person’s premises. The pen or run area also must have either: 1) sides six (6) feet high, or 2) a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground at a depth of no less than one (1) foot. However, the provisions of this section shall not apply to any animal-dog that is owned by a licensed security company and is on patrol in a confined area.

(b) For the purposes of this section a dangerous or vicious animal shall be defined to be any one of the following:

- (1) Any animal with a propensity, tendency or disposition to attack, to cause injury to, or to otherwise endanger the safety of human beings or other domestic animals without provocation; or
- (2) Any animal which attacks a human being or other domestic animal one or more times without provocation whether or not such attack occurs on the premises of the animal’s owner; or
- (3) An animal owned or harbored primarily or in part for the purpose of animal fighting or an animal trained for animal fighting.

(c) Any animal that has been determined to be a dangerous or vicious animal may be impounded by Fairfield County Animal Control. Such animals shall not be euthanized unless the owner has surrendered the animal to the animal shelter and has completed and signed a surrender form or until a hearing is held before an appropriate magistrate and the magistrate has determined that the animal should be euthanized. However, if the magistrate has determined that the owner may redeem the animal, the Fairfield County Animal Control shall release the animal upon receipt of all redemption fees as described in Section 4-15, below. If the owner does not pay the redemption fees within five (5) days of the magistrate’s order, the animal shall become the property of the animal shelter and may be euthanized.

**Sec. 4-3. Running at large – restraint.**

(a) All dogs must be kept under restraint or confinement. Any dog not so restrained will be deemed unlawfully running at large in the unincorporated area of the county.

(b) Dog(s) that are participating in hunting under the supervision or control of the owner(s), obedience trials, conformation shows, tracking tests, herding trials, or lure courses shall not be considered “at large.”

**Sec. 4-4. Rabies control.**

In the event a vicious animal bites a human and the owners cannot provide proof of rabies vaccination, at the discretion of Animal Control, with cooperation from DHEC, an order shall be issued to euthanize the animal and immediately ship the head to the DHEC lab for scientific determination with regard to whether the animal is rabid.

(a) After any animal has been quarantined pursuant to South Carolina Rabies Control Act and is unclaimed by its owner, after the animal shelter employees have made a good faith effort to contact the identified owner as required by Section 47–3–540, the animal shelter employees, unless the animal must be kept pending disposition of a criminal or civil trial involving the animal or unless a hearing on the disposition of the animal is held prior to the trial, may dispose of the animal by adoption or by euthanasia or the animal may be turned over to any organization established for the purpose of caring for animals, such as the Humane Society.

(b) Notwithstanding subsection (c), a litter of unidentifiable dogs or cats four months of age or younger may be turned over to any organization established for the purpose of caring for animals immediately, so long as the litter is turned over for life-saving purposes.

(c) After any animal has been impounded for five calendar days and is unclaimed by its owner, and after the animal shelter employees have made a good faith effort to contact the identified owner as required by Section 47–3–540, the animal shelter employees, unless the animal must be kept pending disposition of a criminal or civil trial involving the animal or unless a hearing on the disposition of the animal is held prior to the trial, may dispose of the animal by adoption or by euthanasia or the animal may be turned over to any organization established for the purpose of caring for animals, such as the Humane Society.

(d) Complete records must be kept by shelter officials as to the disposition of all animals impounded.

**Sec. 4-5. Collar and identification required.**

\_\_\_\_\_ Any person owning, keeping, harboring or having custody of a dog over four months of age within the unincorporated areas of the county must see that every dog owned wears a collar bearing an identification plate which states the name, address and phone number of the owner.

**Sec. 4-6. Removal of excrement.**

The owner of every pet shall be responsible for the removal of any excretions deposited by his or her pet on public walks and ways, recreation areas, or private property other than that of the owner.

**Sec. 4-7. Injured or diseased pets.**

Anyone striking a pet with a motor vehicle or bicycle shall notify the Fairfield County Animal Control who will then take action necessary to make proper disposition of the pet. Any pet received by the animal shelter in critical condition from wounds, injuries, or disease may receive sustaining treatment by a licensed veterinarian until such time as the owner of the pet is contacted. Any such pet in critical condition, as described in this section, may be humanely destroyed if the owner cannot be contacted within five (5) hours. If the pet is in severe pain it may be destroyed immediately. Any veterinarian fees incurred must be paid by the owner(s) prior to redemption.

**Sec. 4-8. Nuisance animals.**

(a) The actions of an animal constitute a nuisance when an animal disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

(b) 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 are, therefore, unlawful:

- (1) Failure to exercise sufficient restraint necessary to control a ~~dog n animal~~ as required \_\_\_\_\_ by Section ~~34~~-3.
- (2) Allowing or permitting a ~~dog n animal~~ to damage the property of anyone other than \_\_\_\_\_ its owner, including, but not limited to, turning over garbage containers or damaging gardens, flowers, or vegetables.
- (3) Failure to maintain a dangerous ~~animal-dog~~ in a manner other than that which is described in Section 4-2.
- (4) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare or safety.
- ~~(5) Maintaining his or her 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.~~
- ~~(67)~~ Maintaining a ~~dog n animal~~ that habitually or repeatedly chases, snaps at, attacks, or \_\_\_\_\_ barks at pedestrians, bicycles, or vehicles.
- ~~(78)~~ Allowing or permitting an ~~animal-dog~~ 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 from the hours of 10:00pm to 7:00am.

(c) An animal that has been determined to be a habitual nuisance by the Fairfield County 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.

(d) Every female ~~animal-dog~~ in heat shall be kept confined in a building or secure enclosure in such manner as will not create a nuisance by attracting other animals.

**Sec. 4-9. Animal care, generally.**

(a) It shall be unlawful for an owner to fail to provide his or her animal(s) with sufficient food and water, proper shelter and protection from the weather as necessary, veterinary care when needed to prevent suffering, and humane care and treatment.

(b) It shall be unlawful for a person to beat, cruelly treat, neglect, torment, overload, overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight or other combat between animals or between animals and humans.

(c) It shall be unlawful for a person to dye or color artificially any animal or fowl, including but not limited to rabbits, baby chickens, and ducklings, or to bring any dyed or colored animal or fowl into the County.

(d) It shall be unlawful for any owner to abandon an animal in the unincorporated area of the county.

(e) No person shall expose any known poisonous substance, so that the same shall be liable to be eaten by any domestic animal.

(f) It shall be unlawful to leave a dog in a crate (wire and/or pet carrier) on a porch, yard, or exposed property to inclement weather such as, but not limited to, excessive heat, cold, or rain.

(g) All dogs that are housed and sheltered outside, excluding those dogs listed in Section 4-16(c), must be micro-chipped and spayed or neutered.

~~(h)~~ It shall be unlawful for a person to tether, fasten, chain, tie, rope, cable, or restrain a dog, or cause a dog to be tethered, fastened, chained, tied, roped, cabled, or restrained, to a house, tree, fence, or any stationary object.

(1) Notwithstanding subsection (f) of this section, if a dog must be restrained other than by fence or other humane enclosure, a person may restrain the dog by complying with the following requirements:

- a. If a trolley system is used, it must be at least twenty (20) feet in length between the two (2) trolley stop points, must be at least three (3) feet above the height of the dog, and must allow the dog to move freely along the length of the trolley runner line without being entangled and being able to access adequate shelter.
- b. The trolley system must allow the dog free access to adequate food, water and shelter based on weather conditions. The dog shall not be connected to either system in extreme weather conditions that may endanger the life or health of the dog.
- c. The trolley system must be attached to a properly fitting ~~collar or~~ harness, not less than one (1) inch in width and that is one (1) inch greater in diameter than the animal's neck or torso. All collars or harnesses 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 dog or embed itself in the dog's neck. The use of pinch collars, choke collars or a chain directly around the dog's neck is prohibited.
- d. The line or leash connecting the trolley system to the dog's ~~collar or~~ harness must be made of a durable non-chain material that prevents knotting, fraying and shortening of the tether or line.
- e. The trolley system must be connected to only one (1) dog. If more than one (1) dog is connected to a trolley system in the same area, the dogs

must be separated by a sufficient distance to prevent entanglement. Dogs shall not be connected to trolley system at the site of an unoccupied, abandoned or condemned dwelling or building.

- f. Dogs under six (6) months of age or that are sick or in distress shall not be connected to a trolley system.
- g. A female dog in heat must be confined within a building, secure enclosure or otherwise protected from access by other dogs to prevent reproduction.

(2) Nothing in this section shall be construed to prohibit a person from walking a dog with a hand-held leash or similar restraint.

#### **Sec. 4-10. Care of animals during transport.**

During transportation, an animal must be provided adequate space and ventilation, and in addition, must not be confined in one area for more than ~~thirty-six~~twenty-four consecutive hours without being adequately exercised, rested, fed, and watered.

#### **Sec. 4-11. Confinement of animals in motor vehicles.**

(a) In order to protect the health and safety of an animal, any animal control officer, law enforcement officer, firefighter, or rescue squad worker, who has probable cause to believe that an animal is confined in a motor vehicle under conditions that are likely to cause suffering, injury, or death to the animal due to heat, cold, lack of adequate ventilation, or under other endangering conditions, may enter the motor vehicle by any reasonable means under the circumstances after making a reasonable effort to locate the owner or other person responsible for the animal.

(b) Nothing in this section shall be construed to apply to the transportation of horses, cattle, sheep, swine, poultry, or other livestock.

#### **Sec. 4-12. Seizure and right of entry to protect abandoned, neglected, or cruelly treated animals.**

(a) If the owner does not give permission, the animal control officer may obtain a search warrant to enter any premises upon which it is suspected a violation of this chapter exists. Once upon the premises, the officer may examine such animal and may take immediate custody of the animal when, in his or her opinion, it requires removal from the premises. The animal control officer shall thereafter petition the appropriate magistrate for a hearing, which shall be a civil proceeding. The hearing shall be set as soon as possible from the date of the seizure of the animal to determine whether the owner, if known, is able to adequately provide for the animal and is a fit person to own the animal. The animal control officer shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal is found, written notice at least five (5) days prior to the hearing of the time and place of the hearing. If the owner is not known or cannot be found within the jurisdiction wherein the animal was found, the animal control officer shall post a copy of the notice at the property where the animal was seized. The pet or animal shall remain in the custody and care of the animal shelter until such matter is heard before the magistrate. The magistrate shall make the final determination as to whether the animal is returned to the owner or whether title is transferred to the animal shelter whereby the animal may be put up for adoption.

or humanely destroyed. If the magistrate orders the return of the animal to its owner, the animal control officer shall release the animal upon receipt from the owner of all redemption fees as described in Section 3-15, below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the animal control shelter and may be placed for adoption or euthanized. The court, in determining whether the owner is able to adequately provide for the animal or is a fit person to own the animal, may take into consideration, among other things, the owner's past record of convictions under this chapter, or one similar thereto, and the owner's mental and physical condition.

(b) Nothing in this section shall be construed to prohibit the euthanization of a critically injured or ill animal for humane purposes.

#### **Sec. 4-13. Performing animal exhibitions.**

(a) No performing animal exhibition or circus shall be permitted in which animals are induced or encouraged to perform through the use of chemical, mechanical, electrical or manual devices in a manner which will cause, or is likely to cause, physical injury or suffering.

(b) All equipment used on a performing animal shall fit properly and be in good working condition.

#### **Sec. 4-14. Keeping of wild animals**

(a) No person shall keep or permit to be kept on his premises any wild or vicious animal for display or for exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibitions or circuses.

(b) No person shall keep or permit to be kept any wild animal as a pet except as allowed under state law.

(c) The following animals are deemed to be wild per se:

1. All nondomestic members of the family felidae;
2. All nondomestic members of family canis;
3. Wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes;
4. Bears;
5. Alligators, crocodiles and caimans;
6. Scorpions; or
7. Venomous reptile.

#### **Sec. 4-15. Impounding.**

(a) Any animal found within the unincorporated area of the county in violation of the provisions of this chapter may be caught and impounded by county authorities. ~~If an animal cannot be caught in a safe, efficient manner, animal control officer(s) may tranquilize the animal by use of a tranquilizer gun.~~ The Fairfield County Animal Control may, thereafter, make available for adoption or humanely destroy impounded animals not redeemed within five (5) days. Fairfield County is not responsible for the death of an animal due to the use of a tranquilizer gun for animals in violation of this ordinance.

(b) When a person arrested is, at the time of the arrest, in charge of an animal, the Fairfield



County Animal Control may take charge of the animal and deposit the animal in a safe place of custody or impound the animal at its animal shelter.

(c) All animals held at its animal shelter after the legal detention period has expired and its owner has not claimed the animal shall be the property of the animal shelter and subject to being placed for adoption, fostered, or euthanized at the sole discretion of Fairfield County Animal Control.

(d) Immediately after impounding a pet that is wearing a rabies tag, or another identification tag, or a pet that has an implanted identification microchip or an obvious identification tattoo, a reasonable effort will be made to locate the owner and to inform him or her of the circumstances under which he or she may regain custody of the pet impounded by the Fairfield County Animal Control reflecting its disposition. Such efforts shall include the use of certified mail and allow the owner of a pet wearing a rabies tag, or another identification tag, or a pet that has an implanted identification microchip or an obvious identification tattoo thirty (30) days to regain custody of the pet from Fairfield County Animal Control.

(e) Any animal found at large may be impounded by the animal control officer and may not be redeemed by its owner unless such redemption is authorized by the Fairfield County Animal Control, with assurance from the owner that proper care and custody will be maintained.

(f) Any animal surrendered to the animal shelter may be adopted or euthanized at any time provided there is a completed and signed surrender form on file for the animal concerned.

#### **Sec. 4-16. Redemption.**

(a) The owner or keeper of any pet that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet at any time within five (5) days upon payment of all actual costs expended for the care and treatment of the pet, including the actual cost of: (1) all required inoculations and medical care; (2) the spay or neuter procedure which shall be required prior to redemption if the pet is not spayed or neutered; (3) in the case of dogs, the cost of installing a microchip should one not already be present; and a daily fee as determined from time to time by the Fairfield County Council.

(b) Any animal determined by an appropriate magistrate, as provided for in Section 4-2 above, to be a dangerous or vicious animal but eligible for redemption may be redeemed, with five (5) days of the order of the magistrate, upon the following conditions:

(1) The owner or person harboring or having the care or the custody of the redeemed animal shall not permit the animal to go unconfined on his premises as provided in Section 4-2, above;

(2) The owner or person harboring or having the care or the custody of the redeemed animal shall pay all actual costs expended for the care and treatment of the pet, including the actual cost of: (1) all required inoculations and medical care and (2) the spay or neuter procedure if the pet is not spayed or neutered, as well as a daily fee as determined from time to time by the Fairfield County Council.

(c) An owner of animal that is redeemed pursuant to provisions Section 4-15(a) or (b) above will not be required to spay or neuter the animal if any of the following conditions apply:

(1) Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not with stand the spay/neuter surgery; or

(2) Any owner of one or more purebred pets who can furnish proof of participation in nationally recognized conformation or performance events; or

(3) Any owner of a dog that is currently being used for hunting purposes ~~and is~~ properly registered with the South Carolina Department of Natural Resources whose owner has a valid South Carolina hunting ~~license~~ license (provided, however, that ~~if such dog is not properly registered with the South Carolina Department of Natural Resources then the owner has three (3) days if necessary to register such dog and the failure to do so within three (3) days will result in the dog becoming the property of Fairfield County Animal Control shelter~~); or

(4) Any individual who is handicapped and who owns a dog which is used for seeing, hearing, or other such assistance purposes.

(5) Any animal redeemed but not required to spay or neuter the animal pursuant to provisions of Section 4-15(c) shall pay an addition fee of \$50 to redeem the animal the first time and for each subsequent redemption the fee shall double.

#### **Sec. 4-17. Interference with Animal Control officers.**

It shall be unlawful for any person to interfere with, hinder, or molest an animal control officer in the performance of his or her duty or seek to release any pet in his/her custody without his/her consent.

#### **Sec. 4-18. Complainant's identification to remain confidential.**

The identity, or information tending to reveal the identity, of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation of this chapter, shall remain confidential to the agency receiving the report unless the complainant authorizes the release of his or her identity, provided, however, the South Carolina Freedom of Information Act is complied with by Fairfield County.

#### **Sec. 4-19. Registration of exotic pets.**

- (a) Any person owning or harboring or having the care or the custody of an exotic animal shall register the animal with Fairfield County Animal Control or a form to be prepared and approved by Fairfield County Animal Control.

#### **Sec. 4-20. Closely populated areas.**

- (a) A closely population area shall mean homes that are close enough that the number of dogs could affect the quality of life of your neighbor. By way of example, but not all inclusive, characteristics of a closely populated area include the ability to see or hear neighboring residences, residences that share a common driveway, etc.
- (b) Any person living within a closely populated area in the unincorporated areas of the County shall not own or harbor or have the care or the custody of no more than five ~~three (3)~~ dogs that are over the age of one (1) year.

#### **Sec. 4-21. Kennels and Pet Shops.**

- (a) It shall be unlawful for any person to erect, establish or maintain any dog kennel or pet

shop without first obtaining a no-cost permit from Fairfield County Animal Control. The granting of the permit shall be in the discretion of the Fairfield County Animal Control Director, who shall take into consideration the type of construction to be employed as it relates to sanitation and manner in which the animals, birds or fowl are to be housed, as well as the character of the person making application, and such zoning regulations as may be in effect. The Fairfield County Animal Control Director may appoint an agent to act on his or her behalf in investigating applications for the permits.

- (b) Upon the issuance of a pet shop or dog kennel permit by Fairfield County Animal Control, the applicant shall pay to the Fairfield County Animal Control an annual license fee of twenty dollars for the privilege of maintaining the dog kennel or pet shop. The annual license shall be for the fiscal year or any part thereof during which the dog kennel or pet shop shall be maintained and shall be due and payable in advance on the first day of July of each year and shall expire on the thirtieth day of June of the next year, provided the above-mentioned permit has not been revoked.
- (c) The permit for the maintenance and operation of a dog kennel or pet shop may be revoked at any time for cause when, in the opinion of the Fairfield County Animal Control Director or his agent, the dog kennel or pet shop is not being properly maintained or operated from the standpoint of sanitation of the premises or proper care of the animals, birds or fowl. Upon revocation of the permit the license issued by Fairfield County Animal Control for the then current fiscal year shall be null and void and the entire fee paid for the annual license shall be forfeit.

#### **Sec. 4-22. Commercial breeding kennels/catteries.**

- (a) —No person shall own or operate a commercial breeding kennel/cattery within Fairfield County without first obtaining a certificate of inspection from Fairfield County Animal Control issued pursuant to this section for an annual fee of \$150.00.
- (b) The inspection of commercial breeding kennels/catteries will be conducted by Fairfield County Animal Control. All such commercial breeding kennels/catteries shall be constructed, maintained, and operated in compliance with the current standards and procedures promulgated by Fairfield County Animal Control and/or the Humane Society of the United States. Anyone who owns or operates a registered commercial breeding kennel/cattery within Fairfield County must agree to follow-up inspections.
- (c) -A —registered commercial breeding kennel/cattery must have certification from a reputable organization such as the AKC (American Kennel Club) that the animal being bred is a pure breed. All animals to be bred at a registered commercial breeding kennel/cattery must have an up-to date veterinary report stating that the animal is healthy and current on all vaccinations.
- (d) Failure to register an animal as one used for breeding purposes shall not prevent the animal from being spayed or neutered pursuant to the provisions of this Chapter should the animal be picked up as running at large by Fairfield County Animal Control.

#### **Sec. 4-23. Show Animals.**

- (a) —Any animal that participates in registered show competitions under the auspices of a reputable show organization, such as the AKC (American Kennel Club), shall register

all show dogs with the County and pay an annual \$50.00 registration fee, show proof that the dog is recognized as a show dog by a reputable organization, and provide to Fairfield County Animal Control proof that the animal's vaccinations are current.

(b) Failure to register an animal as one used for show purposes shall not prevent the animal from being spayed or neutered pursuant to the provisions of this Chapter should the animal be picked up as running at large by Fairfield County Animal Control.

**Sec. 4-24. Hunting Dogs.**

(a) —All dogs used for hunting purposes shall be registered with the County for an annual registration fee of \$50.00. All dogs used for hunting purposes shall wear a reflective collar with the owner information and proof of vaccinations at all times. Hunting dogs shall be those dogs included in the hound group and sporting dog categories that are recognized by the American Kennel Club.

(b) Failure to register an animal as one used for hunting purposes shall not prevent the animal from being spayed or neutered pursuant to the provisions of this Chapter should the animal be picked up as running at large by Fairfield County Animal Control.

—(a) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00). Each day's continuing violation shall constitute a separate and distinct offense.

—(b) The owner or person having charge or custody of an animal who is convicted of any violation of this chapter forfeits ownership, charge, or custody of the animal and at the discretion of the court, the person who is charged with or convicted of a violation of this chapter must be ordered to pay costs incurred to care for the animal and related expenses.

**ADOPTED BY FAIRFIELD COUNTY COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 202~~3~~<sup>4</sup>.**

\_\_\_\_\_  
Douglas Pauley, Chairman  
District 5

\_\_\_\_\_  
Clarence Gilbert, Vice-Chair  
District 7

\_\_\_\_\_  
Dan Ruff, District 1

\_\_\_\_\_  
Shirley M. Greene, District 2

Peggy Swearingen, District 3

Timothy Roseborough, District 4

Cornelius Robinson, District 6

(SEAL)

ATTEST:

Kimberly Roberts, Ed. D., Clerk to County Council  
Fairfield County, South Carolina

READINGS:

~~FAIRFIELD COUNTY COUNCIL~~