



**MINUTES
PUBLIC SERVICES & DEVELOPMENT COMMITTEE
TUESDAY, SEPTEMBER 12, 2023
250 NORTH WALNUT STREET
WINNSBORO, SC 29180.
5:15PM**

Members Present: Dan Ruff (Chair), Tim Roseborough,
Peggy Swearingen

Others Present: Laura Johnson (Interim Administrator), Bob Innis
(Director Animal Control)

I. Call To Order

Mr. Ruff called the meeting to order at 5:15pm.

II. Invocation

Invocation was led by Councilman Roseborough.

III. Approval of Agenda

Motion made by Councilman Roseborough, seconded by Councilwoman Swearingen to approve the agenda. ***The motion carried 3-0.***

IV. Discussion of Proposed Changes to Animal Control Ordinance

Mrs. Johnson referred to Mrs. Swearingen as she stated in the last meeting that she wanted to go over the current ordinance in detail. She had questions from page 4 section B and she read – “No person owning or harboring or having the care of the custody of a dangerous animal may permit the animal to go unconfined on his 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 also must have sides 6 feet high or a secure top. If the pen or structure has no bottom to secure to the sides, the sides must be embedded in the ground at the depth of no less one foot.” She asked if a dangerous animal was a dog – bulls and wild horses were considered dangerous animals. That part of the ordinance did not specifically state that the dangerous animal was referencing a dog. Mr. Innis said it was intended for dogs and it should state dogs. Mrs. Johnson agreed to include that as a recommendation.

Mrs. Swearingen read section 4-3(a) – “All dogs must be kept under restraint or confinement when not on the property of the owner. Any dog not so restrained will be deemed unlawfully running at large in the

unincorporated area of the county." She asked if people were visiting from other counties and their dogs got loose, would they be picked up by Animal Control. Mrs. Johnson said if they were running at-large in the county, it did not matter if the owner was not a resident of the county, the dog could still be picked up and neutered. Mr. Innis agreed.

Mr. Roseborough said if they considered the idea of allowing 3 offenses with neutering at the 3rd - it would address Mrs. Swearingen's concerns.

Mrs. Swearingen read section 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." She asked if they had someone 24-7 that could respond to that and Mr. Innis said yes. He said he was glad she brought up the subject and showed (and passed around) a photo of a dog that was hit by a vehicle that past Friday and several people passed by it before a lady picked it up and brought it to the shelter.

Mrs. Swearingen read section 4-8(b)(2) Nuisance Animals - "Allowing or permitting an 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." She asked if it could specify "dogs" because other animals (cows) could damage property. Mr. Innis said they had quite a few calls for cows/goats that were on other people's property. It was decided that the language would stay the same.

Mrs. Swearingen read section 4-8(b)(4) - "Maintaining animals in an environment of unsanitary conditions which results in offensive odors...." She said turkey houses had offensive odors. Mr. Innis said all poultry farms had offensive odors and it was a part of living in the country. Mrs. Johnson read the latter part of that section - "or is dangerous to the animal or to the public health, welfare or safety." She said her interpretation was as long as the owner cleaned the area regularly that would be sufficient. Mrs. Swearingen said okay.

Mrs. Swearingen read Section 4-8(b)(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." She said she was a farmer and asked what if a property owner did not keep his/her pasture cut - could it be offensive or annoying to someone. Mrs. Johnson said she was not sure why that was included because it focused on property and not animals. Mrs. Johnson said they would remove that section and all agreed.

Mrs. Swearingen read Section 4-8(8) - "Allowing or permitting an animal to bark, whine, or howl in an excessive, unwarranted, and continuous or untimely fashion...". She asked if it pertained to cows mooing or donkeys

braying. Mr. Innis said it pertained to dogs. She asked if it could specify dogs and all agreed.

Mrs. Swearingen read Section 4-8(8)(d) – "Every female dog or cat 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." She said cows went in heat as well.

Mrs. Swearingen read Section 4-9(a)(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." She asked what if someone wanted to color his/her dog for a special occasion. Mrs. Johnson said they needed to check that because Mr. Innis said it might have something to do with the Humane Society.

Mrs. Swearingen read Section 4-13(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." She asked about hunting in field trials and there was a shock collar on the dog. Mr. Innis said that was for performances and exhibitions, not for hunting. She said okay and that she was finished.

Mrs. Johnson said she emailed the recommendations from Animal Control and she gave them a hard copy. She said the first recommendation was to delete the DNR reference on page 11. She said Attorney Morgan said the DNR website had a provision for registering dogs but they could still delete it.

Mr. Innis said recommendation number 2 pertained to dogs housed outside. He read directly from his written recommendation – "All dogs housed outside shall also be microchipped and spade or neutered with the owner's information on file." Regarding breeders, owners with pure bred dogs should have certification of such from a reputable organization, a veterinarian report stating each animal was healthy for breeding and all current vaccinations. The owner would register with the County as a breeder and pay the County's fee (at the last meeting the recommendation was a one-time \$150 fee). Mr. Ruff said he thought the fee should be annual whatever the amount decided upon for AKC recognized dogs because an owner could buy more dogs and not have to pay that fee. Mr. Roseborough said an annual fee seemed more like a tax. He recalled Lt. Chris Childers saying it could not be regulated so why do it. Mr. Ruff said he looked at it as an insurance policy. Mrs. Swearingen questioned how many people would actually pay the fee. Mr. Ruff said without it, if a person's dog was picked up it would be neutered. They needed to do something to try to address the overpopulation. Mrs. Swearingen agreed with the annual fee. Mr. Roseborough asked if they

would consider implementing three offenses – first time caught \$25 fine with no neutering, second time caught \$50 fine with no neutering and third time caught the animal would be neutered. Mr. Ruff said he did not agree with that and Mr. Roseborough said that the annual fee would not pass with Council.

Mr. Innis continued to read his recommendations – “The owner shall register all show dogs to the county and pay an annual fee of \$150, show proof that the dog was a recognized breed in a show and a veterinary report indicating the vaccinations were current.” He said #5 read – “Hunting dogs will register with the County for \$150 annually. Dogs must have a reflective collar with the owner’s information and proof of vaccination. It includes dogs in the hound group and sporting group categories recognized by the American Kennel Club.” He provided them with list of the types of dogs in that category.

Mr. Innis said dogs should be microchipped so if picked up, they could easily contact the owner and they would have five days to pick up the animal. Mrs. Johnson clarified that in addition to the \$150 registration fee, if an animal was picked up there was still a \$25 fine and a \$10/day impounding fee.

Mrs. Johnson did a recap of the discussion. She said Section 4-2 (Dangerous or Vicious Animals) the word “animals” would change to “dogs”. In Section 4-8 (Nuisance Animals), they would remove the portion pertaining to maintaining property and in #9 remove the word “animals” and replace with the word “dogs”. In the same section, 9d they would add “every female dog in heat.” In Section 4-9(c), regarding it being unlawful for a person to dye or color an animal, it was a possible delete. Regarding the recommendations sheet, the fee for breeders, show dogs and hunting dogs would be \$150 annually, dogs housed outside must be microchipped and spade/neutered (except hunting dogs) and failure to register breeders, show dogs or hunting dogs would result in the animal being spade/neutered if picked up by County Animal Control.

Mrs. Johnson said they needed to meet with the Attorney to review the changes to ensure they were in compliance with state and federal laws after which, she suggested one more meeting to take a vote to forward those recommendations to full Council.

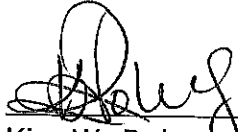
Mrs. Johnson asked for a motion from the committee. Mr. Ruff asked for the motion to allow Administration to take the recommendations from that meeting to the Attorney to ensure their compliance. Motion made by Mrs. Swearingen, seconded by Mr. Ruff. **The motion carried 2-1.**

Mrs. Johnson agreed to draft the recommended changes, meet with the Attorney and assist with scheduling the next meeting.

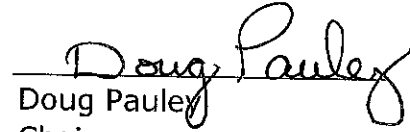
Mr. Ruff thanked everyone for attending the meeting.

V. ADJOURN

At 6:09pm, Councilwoman Swearingen made a motion to adjourn, seconded by Councilman Roseborough. ***The motion carried 3-0.***



Kim W. Roberts, Ed. D.
Clerk to Council



Doug Pauley
Chairman