

CLARENDON COUNTY ORDINANCE NO. 2025-05

**AN ORDINANCE TO PROVIDE FOR THE CONTROL AND
REGULATION OF ANIMALS IN CLARENDON COUNTY AND OTHER
RELATED MATTERS**

WHEREAS, Clarendon County finds there is a growing problem concerning animal control which is negatively affecting the citizens and animals in the County; and

WHEREAS, Clarendon County Council desires to protect the health, safety, peace and welfare of its citizens; and

WHEREAS, Clarendon County Council desires to protect the health, safety, order, security and welfare of the animals in the County; and

WHEREAS, Clarendon County Council is authorized to enact this Ordinance pursuant to S.C. Code Ann. §§ 4-9-25, 4-9-30(5), 47-1-10 *et. seq.*, 47-3-10 *et. seq.*, 47-5-10 *et. seq.*, 47-7-10 *et. seq.*, and 50-11-780.

NOW THEREFORE, BE IT ORDAINED that the County Council of Clarendon County, South Carolina, does hereby approve and authorize the following regulations to be placed in effect for the control of animals in Clarendon County:

I. General Provisions.

The short title of this Ordinance is the “Clarendon County Animal Control Ordinance.”

II. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“**Animal**” means a carnivorous domestic mammal.

“**Animal at large**” means any animal which is not under the control, custody, charge or possession of the owner or other responsible person, by leash, chain, effective voice command, secure fence or other means of confinement or restraint.

“**Animal Control Officer**” means a person employed by the Clarendon County Sheriff's Office and is a certified Law Enforcement Officer under South Carolina law.

“**Animal Control Facility**” means the one or more premises that Clarendon County Council designates to impound, care for, board, adopt, sterilize, and/or euthanize animals.

**CERTIFIED TRUE COPY
OF ORIGINAL FILED IN THIS OFFICE**

DATE 05/16/2025
Shanita Brangman
CLERK OF COURT
CLARENDON COUNTY, SC

Shanita Brangman, CLK - Clarendon SC
2025 MAY 16 PM 2:46

Ordinance No. 2025-05
Clarendon County Animal Ordinance
Page 1 of 11

“Council” means the County Council of Clarendon County.

“County” or **“Clarendon County”** means Clarendon County, South Carolina.

“Dangerous animal” means any animal that has shown the propensity to attack a person or another animal, has attacked without provocation a person or another animal, or which has been trained to attack on command.

“Disposed of” means, with respect to any animal, that such animal may be rehomed, turned over to a rescue organization or individual, or euthanized by the Animal Control Facility’s personnel in a humane way, as the Animal Control Facility may determine.

“Dog” means any member of the canine family that is or reasonably appears to be of the type that may be domesticated.

“Effective voice command” means voice control by a competent person which always prevents the animal subject to the voice control from running at large or otherwise violating the provisions of this chapter.

“Hunting” the act of searching, running for sport or finding to kill or catch game for food or sport, during a current active hunting season or dog running season pursuant to South Carolina law.

“Impound” means the keeping of an animal in an Animal Control Facility or other means of keeping animals as may be determined by the Animal Control Division.

“Inoculate against rabies” means the injection, subcutaneously, intramuscularly or otherwise, of antirabic vaccine as approved by the department and by the United States Department of Agriculture.

“Keeper” means any person or corporation possessing or having custody of an animal.

“Kennel” means a facility other than a veterinary hospital or facility which provides services to owners of animals, including but not limited to the following: (1) boarding; (2) care and grooming; (3) breeding; (4) stud services; or (5) the sale of offspring or adult animals.

“Licensed veterinarian” means a veterinarian licensed to practice in the State.

“Neutered or spayed” means rendered permanently incapable of reproduction by surgical alteration, implantation of a device or other physical means, or permanently incapable of reproduction because of physiological sterility, but only where the neutered or spayed condition has been certified by a veterinarian licensed in the State.

“Notice” means a notice to appear unless the context of the ordinance requires a different definition.

“Ordinance” means this Clarendon County Animal Control Ordinance.

“Owner” means any person or corporation owning an animal or any person who has control of or feeds or shelters an animal or permits it to remain on the person's property for a period of more than 14 days without notifying the animal control officer.

“Physical control” means control by effective voice command, leash or physical contact by the owner or keeper of an animal.

“Public nuisance” means a detriment to the public health, safety, or welfare, as determined by an Animal Control Officer.

“Running at large” means an animal that is off the premises of the owner or keeper and not under the physical control of the owner or keeper.

III. Animal Control Officer; Appointment; Duties.

(A) The Sheriff is authorized to employ suitable persons to serve as Animal Control Officers to carry out the purposes of this ordinance.

(B) An Animal Control Officer shall enforce this Ordinance and South Carolina Statutes concerning the care, keeping, control, and other matters concerning animals in the County's Unincorporated areas and the municipalities within the County with which Clarendon County has contracted to provide animal control services.

(C) The Animal Control Officer may seize and impound:

1. Any stray animal.
2. Any animal at large.
3. Any dangerous animal not properly restrained or secured by the owner or keeper.
4. Any animal carrying or believed to be carrying rabies or other infectious or contagious diseases.
5. Any animal that is a nuisance.
6. Any dog not identified and inoculated against rabies as required by this ordinance.
7. Any sick or injured animal for which the owner or keeper cannot be found after reasonable effort to do so, or for which the owner or keeper is unable or unwilling to provide proper care.
8. Any other animal authorized by this ordinance to be impounded, caught, seized, or picked up. The Animal Control Officer shall impound or otherwise dispose of such animals as provided under this ordinance.

(D) Any Animal Control Officer or Clarendon County Sheriff's Deputy that is trained in euthanizing an animal that places the safety of a person or other animal in imminent danger may take the measures to euthanize the animal.

(E) A person shall not interfere with an Animal Control Officer who is enforcing this Ordinance. Interfering with Law Enforcement Officer, including an Animal Control Officer, or hindering investigation is a jailable offense pursuant to South Carolina Code of Laws § 16-5-50.

(F) The Animal Control Officer shall investigate complaints or actions allegedly in violation of this ordinance and shall issue notices and ordinance summons for violations of this Ordinance as set forth herein.

(G) Pursuant to and in accordance with South Carolina law, the Animal Control Officer may enter public or unfenced private property within the County, except residential buildings, to carry out the duties imposed in this ordinance. The Animal Control Officer may enter private property with the consent of the applicable individual, as required pursuant to South Carolina law, and shall obtain a proper warrant to enter private property in all other cases.

(H) The Animal Control Officer may declare an animal to be a dangerous animal and may order the owner of such animal to secure, restrain, and confine such animal pursuant to South Carolina Code of Laws § 47-3-720.

IV. Animals at large.

(A) It is unlawful for any owner or keeper of an animal to willfully or negligently allow the animal to run at large on any public property or on any private property of another without the permission of the property owner.

(B) Any dog under the direct and close supervision of its owner or keeper or otherwise engaged in an organized animal exhibition, field trial, competition, legal sport, or training of these activities, shall not be deemed to be an animal at large.

(C) A dog engaged in lawful hunting where direct and close supervision by an owner or keeper is impractical for reasonable and proper enjoyment of the sport shall be exempt from the provisions of this Section in accordance with South Carolina Code of Laws § 50-11-780.

(D) An Animal Control Officer may immediately seize any animal at large, and any such animal may be impounded and disposed of pursuant to this ordinance.

(E) Council may establish reasonable fees for impounding animals under this ordinance. The owners or keepers of impounded animals shall pay the fees and execute a statement of ownership or responsibility as a condition precedent to release of an impounded animal. Fees collected shall be deposited in the general revenue fund of the County.

V. Abuse of animals; abandonment.

(A) It shall be unlawful for a person by commission or omission to:

1. Fail to provide adequate food and/or water for an animal.
2. Fail to provide an adequate shelter for an animal so it can be protected from severe weather.
3. Beat, torture, injure, torment, molest, poison, lame, or mutilate any animal causing physical pain, suffering, or death.
4. Overwork or overdrive any animal causing physical pain, suffering or death.
5. Open, maintain, sell tickets to, or attend or aid in the getting up, exhibiting, opening, or maintaining any cockfighting or fight between any dog or other animal.
6. Convey any type of animal or allow an animal to be placed or confined in a motor vehicle under such conditions or for such a period of time as to endanger the health or well-being of such animal due to temperature, lack of food or drink, or such other conditions as may reasonably be expected to cause suffering, disability, or death. After making reasonable effort to find the driver of a vehicle in which an animal is confined; the Animal Control Officer may use the least intrusive means to break and enter the vehicle if necessary to remove the animal where reasonable cause exists to believe that the animal in the vehicle is in violation of this subsection.

(B) It shall be unlawful for any person owning, possessing, or harboring an animal to abandon that animal. If the Animal Control Officer finds that an animal has been abandoned, the animal may be impounded. If the animal has been abandoned in a house or within a fenced area, the Animal Control Officer will make a reasonable effort to locate the owner or other person in control of the property. If the property owner or other person in control of the property is not the animal's owner, the Animal Control Officer shall secure permission to remove the animal. If the property owner or other person in control of the property is also the animal owner, and this individual cannot be located, the Animal Control Officer shall secure an appropriate warrant to seize the animal, in which case the animal may be impounded.

State Law reference – S.C. Code §§ 47-1-40(A)

VI. Nuisance.

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

1. Having 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, or public property.

2. 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, or repeatedly defecating upon the property of another.
3. Maintaining animals in an environment of unsanitary conditions or lack of cleanliness which results in offensive odor or is dangerous to the public health, welfare or safety, or a failure to maintain a condition of good order and cleanliness which reduces the probability of transmission of disease.
4. Maintaining property 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.
5. Maintaining an animal that is diseased and dangerous to the public health.
6. Maintaining an animal that habitually or repeatedly chases, snaps at, threatens, attacks, or barks at pedestrians, joggers, dogs walked on a leash by owners, bicycles, or vehicles.
7. Failing to confine a female dog while in season, in a building or secure enclosure in such a manner that she cannot come into contact with another dog or creates a nuisance by attracting other animals; provided this section shall not be construed to prohibit the intentional breeding of animals within an enclosed, concealed area on the premises of the owner of an animal which is being bred.

(B) In addition to any other enforcement remedies available under this ordinance, if the Animal Control Officer shall declare an animal a nuisance under this section, then the Animal Control Officer has the authority to order the owner to confine the animal in accordance with the Animal Control Divisions instructions. It shall be unlawful for the owner or keeper to fail to comply with such an order or with the instructions in the order.

(C) If the owner or keeper is unable or unwilling to comply with the order of an Animal Control Officer concerning the confinement of a nuisance animal, the Animal Control Officer may seek an adjudication by a court of competent jurisdiction that such animal constitutes a nuisance under this ordinance or other State law and, upon such adjudication, the Animal Control Officer may seize and impound the animal and the Animal Control Facility may dispose of the animal in accordance with the provision of this ordinance.

VII. Notification of owners; Release and disposal of impounded animals.

(A) Before any animal is released from the Animal Control Facility, the Animal Control Facility's personnel must be satisfied that the animal is currently inoculated against rabies or will be inoculated against rabies within seven days from the date of release, and the owner or keeper must pay an impoundment fee, an additional fee per day for every day the animal has been impounded, and an administrative fee, all of which shall be established by Council. To satisfy the Animal Control Facility's personnel, the animal's owner must provide a current certificate of

inoculation against rabies within the time period prescribed herein, and the owner or keeper's failure to do so shall constitute a violation of this ordinance.

(B) The Animal Control Facility may dispose of animals impounded pursuant to this ordinance in accordance with the provisions of this ordinance, the regulations and policies of the Animal Control Facility, and agreements between the Animal Control Facility and the County, if any.

(C) The Clarendon County Sheriff's Office Animal Control Division will make every reasonable effort to identify and notify the owner of all animals that have been seized by an Animal Control Officer. Reasonable steps may include checking for information on collars, scanning for electronic chips, and posting on the internet. Where an Animal Control Officer is reasonably able to determine ownership of an animal, including animals with collars or without any other identifiers, the Animal Control Officer shall attempt to contact the owner via phone, if known, by making contact at the residence, if known, or by mailing notice by first class U.S. Mail, if such address is known.

(D) Animals for which an Animal Control Officer is reasonably unable to determine ownership, or for which no owner exists, and that do not have collars and no other identifying information to determine ownership will be held by the Animal Control Facility for at least five days, after which time such animal may be disposed of as the Animal Control Facility may determine.

(E) Animals for which the Animal Control Officer is reasonably able to determine ownership, and for all animals which have collars or identifying information to determine ownership, shall be held by the Animal Control Facility for at least 14 days after the Animal Control Officer has notified, or reasonably attempted to notify, the owner (which shall mean 14 days following date on which notification is made via phone, personal contact, or mail, if address is available) and, if no response is received by the owner within such time, the Animal Control Facility may dispose of the animal as the Animal Control Facility may determine.

(F) If an Animal Control Officer determines that an animal is a dangerous animal and the animal has identifying information, the Animal Control Officer will attempt to contact the owner prior to euthanasia, however if the Animal Control Officer is not able to contact the owner within 24 hours or the owner does not respond within 24 hours, the animal shall be euthanized for safety reasons. In any extreme case, where an Animal Control Officer determines that an animal poses a threat to either the Animal Control Officer and/or the public, the Animal Control Officer may euthanize the animal in the field for safety reasons.

VIII. Registration and confinement of a dangerous animal.

(A) It is unlawful for the owner or keeper of an animal declared by the Animal Control Officer to be a dangerous animal to either willfully or negligently allow the animal to run at large or to fail to secure, restrain, or confine the animal as ordered by the Animal Control Officer pursuant to this Ordinance.

(B) Once an animal has been deemed a dangerous animal, either by the owner, Animal Control Officer, or a court of competent jurisdiction, the owner of such animal must register that animal with the Animal Control Division. The registration application must be accompanied by proof of liability insurance or surety bond of at least \$50,000.00 insuring or securing the owner for personal injuries inflicted by the dangerous animal. The Animal Control Division shall provide the owner registering the dangerous animal with a metal license tag and a certificate which indicates the designation as a dangerous animal. The metal license tag always must be attached to a collar or harness worn by the dangerous animal for which the certificate and tag have been issued. The owner will have five days once the animal has been deemed a dangerous animal to complete registration and show proof of liability insurance or surety bond of at least \$50,000.00 or the dangerous animal will be impounded and euthanized.

(C) The owner or keeper of a dangerous animal will confine the animal as directed by an Animal Control Officer which, except in extraordinary circumstances as determined by an Animal Control Officer, shall mean that the animal be placed within a fence, pen, or run area inside a primary fence. Any such enclosure shall be marked with a warning sign that includes the text "Dangerous Animal." The area must be totally enclosed and designed to prevent the escape of the animal and to prevent entry by the public. Dangerous animals shall not be permitted outside of such enclosure unless safely restrained.

State Law reference – S.C. Code §§ 47-3-760 (E); 47-3-720

IX. Enforcement; fines.

(A) *Violations observed.* Upon observing a violation of this ordinance, the Animal Control Officer or any other Law Enforcement Officer may:

1. Issue a warning citation to the owner or keeper of the animal, provided the citation states the date and time of issuance, the name and address of the person accused, the nature of the offense, a description of the animal involved, and a demand that the offense be abated within a reasonable period which, except in extraordinary circumstances as determined by the Animal Control Officer, shall be 72 hours, and the person cited shall abate the offense as directed. If such offense is not abated within the prescribed period of time, the Animal Control Officer shall, without delay, commence prosecution of the offense pursuant to the rules of criminal procedure;
2. Commence prosecution of the offense; or
3. Impound the animal that is subject to the violation and commence prosecution of the offense.

(B) *Complaints of violations not observed.* Upon receipt of a complaint, the Animal Control Officer or other Law Enforcement officers shall investigate the complaint to determine whether there is reasonable belief that a violation of this ordinance has occurred. If reasonable belief exists, the Animal Control Officer shall commence prosecution of the offense.

(C) *Fines.* Except as otherwise set forth in this ordinance, any person violating this ordinance shall be issued an ordinance summons and, upon conviction, shall be fined an amount not to exceed \$500.00 or imprisoned for not more than 30 days in jail or both. Each day during which the violation continues and each animal for which a violation applies shall be deemed a separate offense.

X. Surrender of animal to the Animal Control Officer, interference with the Animal Control Officer in performance of duty.

It is unlawful for any person to refuse to surrender an animal upon lawful demand by the Animal Control Officer. It is unlawful for any person to attempt to take any animal from the custody of the Animal Control Officer or other Law Enforcement Officer, to attempt to take any animal from the Animal Control Facility without permission of the Animal Control Officer, Animal Control Division, or Animal Control Facility, as applicable, or otherwise interfere with the Animal Control Officer in the performance of their duties or any animal control equipment under this ordinance.

XII. Quarantine provisions; impoundment and treatment of sick and injured animals; disposal of dead animals.

(A) When an animal has bitten a person or another animal, or is believed to have bitten a person or another animal, or is suspected by the Animal Control Officer to have rabies, it shall be quarantined, under supervision of the Animal Control Officer, Animal Control Division, or Animal Control Facility, as applicable, in coordination with the State Department of Public Health, by the owner, or at the discretion of the Animal Control Officer, the animal may be held in quarantine at the Animal Control Facility at the owner's or keepers expense subject to a quarantine fee, an additional fee per day for every day the animal has been quarantined, and an administrative fee, all of which shall be established by Council.

(B) The Animal Control Officer may impound any animal believed to be carrying an infectious or contagious disease, or any injured animal, and may retain the service of a licensed veterinarian to treat it. The Animal Control Officer may accept a sick or injured animal upon delivery by a licensed veterinarian or other person. When a sick or injured animal is owned and the owner is identified, such owner shall be liable for payment of veterinary expenses and/or reimbursement of the County's expenses in treating the animal. At the discretion of the Animal Control Officer, a sick or injured animal may be euthanized or otherwise disposed of, and its remains disposed of without compensation to the owner or keeper, provided that the Animal Control Officer shall make reasonable effort to notify the owner or keeper that the animal is impounded.

(C) When an animal dies, the owner or keeper of the animal shall dispose of the remains immediately. When the Animal Control Officer discovers a dead animal, he shall notify the owner or keeper, if known, and shall order the owner or keeper to dispose of the remains immediately.

XIII. Rules and regulations; construction of provisions; areas of Enforcement.

(A) Clarendon County Council may enact reasonable rules and regulations to implement and carry out the provisions of this ordinance.

(B) The provisions of this ordinance shall be liberally construed in order to affect the purposes of this ordinance.

(C) The Clarendon County Sheriff's Office Animal Control Division has the authority to enforce the ordinance throughout the county and the municipalities within the County with which Clarendon County has contracted to provide animal control services.

XIV. Fee Schedule.

The County Council hereby establishes the following schedule of fees and charges for animal control services within the County.

Base Impoundment Fee	\$50.00
Per-Day Impoundment Fee	\$5.00
Base Quarantine Fee	\$50.00
Per-Day Quarantine Fee	\$5.00
Administrative Quarantine Fee	\$10.00

All fees hereunder shall, in addition, include (i) any expenses incurred to inoculate an animal, and (ii) any veterinary expenses incurred with respect to such animal during impoundment.

XV. Savings Clause.

Rights and duties that matured before the effective date of this Ordinance are preserved.

XVI. Severability Clause.

If any part of this Ordinance is unenforceable, then the remainder of this Ordinance remains enforceable.

XVII. Conflicts.

Should conflicts arise between this and any preceding Ordinances, Resolutions, Orders or parts of the same, this Ordinance prevails, to the extent of the conflict.

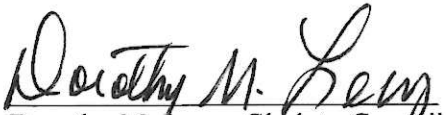
XVIII. Effective Date.

All provisions of this Ordinance shall become effective on May 12, 2025, 2025, upon County Council's approval following three readings and a public hearing.

DONE AND ENACTED this 12th day of May, 2025.

CLARENDON COUNTY COUNCIL

ATTEST:


Dorothy M. Levy, Clerk to Council


John E. Johnson, III Chairman



First Reading:	March 10, 2025
Public Hearing	April 14, 2025
Second Reading:	April 14, 2025
Third Reading:	May 12, 2025