

ANIMAL CONTROL CODE

ARTICLE 3—DUTIES AND VIOLATIONS

PART A – DUTIES OF GENERAL PUBLIC

§3-101 Duty - Rabies Reports: Threat to Public Health – Spread of Rabies.

1. Any person with personal knowledge that an animal is affected by rabies, is suspected of being affected by rabies, or has come into contact with a creature know or suspected of being affected by rabies, shall have a duty to immediately report that information to the Department. Failure to abide by any of these duties shall be a violation known as threat to public health – spread of rabies.
2. The Department shall have the duty to notify the appropriate State authorities of the report and, if the authority so requests, cooperate with the authority in locating the animal and investigating the report; however, the Department shall not have the duty to take the animal into custody.

§3-102 Duty - Bite Reports: Concealing a Threat to Public Health – Animal Bite.

1. Any person with knowledge that an animal or any creature susceptible to rabies has bitten any human shall have a duty to immediately report the incident to the Department, unless the person has knowledge that the animal was current on its rabies immunization at the time of the bite. Failure to abide by any of these duties shall be a violation known as concealing a threat to public health – animal bite.
2. The Department shall have the duty to notify the appropriate State authorities of the report and, if the authority so requests, cooperate with the authority in locating the animal and investigating the report; however, the Department shall not have the duty to take the animal into custody.

§3-103 Duty - Exotic Creatures: Threat to Public Health – Harboring Exotic Creature.

1. As of December 7, 2009, no person shall bring or maintain an exotic creature within the boundaries of the County. If a keeper cannot prove that the exotic creature was kept on a permanent basis within the boundaries of the County prior to December 7 2009, the keeper's violation shall be known as threat to public health – harboring exotic creature.
2. The Department shall have the duty to issue a ticket for this violation, but shall not have the duty to take custody of the exotic creature.

§3-104 Duty - Humane Treatment: Animal Cruelty.

1. Any person who intentionally interacts with an animal shall do so in a humane manner. Failure to abide by this duty shall be a violation known as animal cruelty.
2. Upon witnessing a violation of this provision, an ACO shall have the power, but not the duty, to impound the animal for redemption by its keeper.

§3-105 Duty – Non-Interference with ACO: Interference with ACO.

No person shall (1) interfere with, hinder or molest an ACO in the execution of an ACO's duties or (2) attempt to or release an animal in an ACO's custody. Failure to abide by either of these

duties shall be a violation known as interference with ACO.

§3-106 Duty – Keeper Identification: Impersonating a Keeper.

No person shall: (1) falsely claim to be an animal’s keeper for purposes of relinquishing the animal the Department; or (2) attempt to or redeem an animal in the custody of the animal shelter, unless the person was the animal’s keeper at the time the animal came into custody of the Department. Failure to abide by either of these duties shall be a violation known as impersonating a keeper.

PART B – DUTIES OF ANIMAL KEEPERS

§3-201 Duty - Rabies Control: Threat to Public Health – Spread of Rabies.

1. An animal keeper has the duty to have the animal inoculated against rabies at a frequency that provides continuous protection of the animal from rabies. The vaccine used for this purpose must be approved and licensed for this purpose by the relevant State and Federal authorities. The keeper shall have a valid certificate of rabies immunization readily available for inspection by an ACO to prove current immunization of the animal. The ACO shall accept a valid and current certificate from a State other than South Carolina for this purpose.
2. If an animal is not current in its rabies inoculation, its keeper has the duty to confine the animal to the inside of the keeper’s residence, except when transporting the animal in an enclosed cage for administration of rabies vaccine.
3. An animal keeper shall have the animal inoculated against rabies within three (3) business days of the keeper’s receipt of custody of the animal.
4. Failure to abide by any of these duties shall be a violation known as threat to the public health – spread of rabies.

§3-202 Duty - Kennel Inspection: Operation of Unauthorized Kennel.

Any person who shall own or operate a kennel within the County shall first obtain a certificate of inspection from the Director. The Director shall charge a fee of \$200.00 for a kennel inspection and the inspection certificate shall be effective for two calendar years. Failure to abide by this duty shall be the violation of operation of an unauthorized kennel.

§3-203 Duty – Control of Dangerous Animal: Threat to Public Health – Failure to Control Dangerous Animal.

1. A keeper of a deemed dangerous animal shall have the following duties and the failure to abide by any of the following duties shall be a violation known as threat to public health – failure to control dangerous animal:
 - a. Register the animal with the Department which registration process shall include the proof of liability insurance or bond set forth in Section 47-3-760(E) of the State Code;
 - b. Fasten a special, animal license tag issued by the Department that identifies the animal as “DANGEROUS” to the animal’s collar which collar shall be worn by the dangerous animal at all times;
 - c. Contact the Department if any changes occur with the following:

- i. Ownership of the animal;
 - ii. Name, address and telephone number of a new keeper;
 - iii. Address change of the keeper or any change in the location in which the dangerous animal is housed; or
 - iv. Any change in the health status of the animal, including the animal's death.
 - d. Whenever the animal is within a structure, the structure shall be clearly marked at each entry point as containing a dangerous animal;
 - e. Whenever the animal is outdoors and attended, it shall be attended by its keeper, muzzled, on a leash, and fully under its keeper's control;
 - f. Whenever the animal is outdoors and unattended, the keeper shall confine the animal in a locked enclosure suitable for confining a dangerous animal. For purposes of this section, a locked enclosure suitable for confining a dangerous animal shall, at a minimum, be humane as to climate, escape-proof, entry-proof to the general public, especially as to children, and clearly marked on each side as confining a dangerous animal.
2. Disposition Upon Impoundment.
- a. If an animal deemed dangerous is at large and is taken into custody by an ACO, the keeper may redeem the animal only if the animal has not previously been taken into custody by the Department.
 - b. If an animal is deemed dangerous, the animal shelter shall not relinquish it to the SPCA.
3. The Director shall have the authority to determine that an animal is dangerous. In the event that the Director finds an animal to be dangerous, the animal shall be deemed dangerous. The Director shall mail notice of his determination that an animal is dangerous to the animal's keeper. In the event that the mailed notice is returned to the Director, the Director shall publish notice of the determination. The Director's notice shall include the keeper's duty to register the animal as dangerous with the Department.

§3-204 Duty – Control of Diseased Animal: Threat to Public Health - Failure to Maintain Animal Quarantine.

If an animal is afflicted with a contagious or infectious disease, its keeper shall have a duty to keep the animal quarantined on the keeper's property and away from exposure to humans or other animals. Failure to abide by this duty shall be a violation known as threat to the public health - failure to maintain animal quarantine.

§3-205 Duty – Disposal of Dead Animal: Threat to Public Health - Unauthorized Disposal of Dead Animal.

If an animal dies, the animal's most recent keeper shall have a duty to promptly dispose of the animal by cremation, burial or other sanitary means. Failure to abide by this duty shall be the violation of threat to public health - unauthorized disposal of dead animal. In addition, if the Department disposes of a dead animal, the animal's most-recent keeper shall be required to pay the Department a reasonable fee to cover the administration and disposal costs.

§3-206 Duty – Fighting: Animal Cruelty – Dog Fighting.

A keeper shall not cause his dog to be trained for illegal dog fighting or allow his animal to

participate in an illegal dog fight. Failure to abide by any of these duties shall be a violation known as animal cruelty – dog fighting.

§3-207 Duty - Basic Necessities: Animal Cruelty - Abandonment.

A keeper shall have a duty to provide his animal with basic necessities. Failure to abide by this duty shall be a violation known as animal cruelty - abandonment.

§3-208 Duty - Humane Treatment: Animal Cruelty.

A keeper shall have a duty to treat his animal in a humane manner. Failure to abide by this duty shall be the violation of animal cruelty.

§3-209 Duty - Confinement and Restraint: Nuisance – Animal At Large.

A keeper shall keep an animal under confined or under restraint at all times. Failure to abide by this duty shall be the violation of nuisance – animal at large.

§3-210 Duty – Peaceful Enjoyment: Nuisance - Harboring Nuisance Animal.

1. A keeper shall have a duty to maintain an animal in a manner such that the animal does not interfere with the peaceful enjoyment of persons on other properties. Failure to abide by this duty shall be the violation of nuisance - harboring nuisance animal.
2. Examples of the violation of nuisance – harboring a nuisance animal, include, but are not limited to, the following: a keeper’s failure to remove its animal’s excreta deposited on public walk ways, recreation areas, or private property; a keeper’s failure on a regular or frequent basis to control the sounds or smells of its animal from emanating to the property of others such that the sounds or smells interfere with peaceful enjoyment of the other property; a keeper’s failure on a regular or frequent basis to confine or restrain its animal followed by the animal causing damage or destruction of property belonging to one other than the keeper.

§3-211 Duty – Identification: Secondary Offense – Failure to Identify.

1. A keeper shall have a duty to securely fasten an identification tag to the animal’s collar. The identification tag must clearly indicate sufficient information for an ACO to contact the keeper, such as the keeper’s current telephone number, physical address or e-mail address.
2. The keeper shall have the duty to ensure that the animal wears the identification-tagged collar at all times that the animal is off the keeper’s property, unless the keeper and the animal are engaged in hunting or other activity where a collar might endanger the animal’s safety.
3. Notwithstanding a keeper’s failure to abide by the identification duties in this provision, an ACO shall not ticket a keeper for the violation of failure to identify animal unless the ACO is also issuing the keeper a ticket for violation of another section of this Code.
4. Failure to abide by these duties when accompanied by failure to abide by another duty in this Article shall be the violation of secondary offense - failure to identify animal.