

## ANIMAL CONTROL CODE

### ARTICLE 5 – REPORTS, INVESTIGATIONS, VIOLATIONS AND PENALTIES

#### Part A – Reports and Investigations.

##### **§5-101 Reports.**

ACOs shall not patrol the County to enforce the Code, but shall, instead receive reports and, based on the type of report, may investigate a report.

##### **§5-102 Investigations.**

The following types of reports shall receive the following level of investigation:

1. *Substantiated Reports.* If the Department receives a substantiated report, an ACO shall investigate the report to determine whether a violation has occurred.
2. *Unsubstantiated Reports.* If the Department receives an unsubstantiated report, no investigation shall occur, unless the Director determines that one of the following circumstances is also involved:
  - a. The information reported, if true, would cause a reasonable person to believe that death or severe bodily injury to a human being might result; or
  - b. The information reported, if true, would cause a reasonable person to believe that serious consequences to the public could result, such as the spread of rabies;
  - c. The information reported, if true, would cause a reasonable person to believe that, if left uninvestigated, numerous animals may suffer cruelty;
  - d. Several other sources have reported the same violation within the previous 24 hours of the unsubstantiated report; or
  - e. The Director concludes that resources allow investigation without compromising matters with higher priority.

##### **§5-103 Investigative Rights.**

*Warrantless Pursuit.* If an ACO observes an animal at large, the ACO may pursue the animal onto private property as long as the pursuit (1) is for the purpose of enforcing this Code, (2) is continuous, and (3) remains outdoors.

#### Part B – Violations and Penalties.

##### **§5-201 Violations; Written Warnings; Ordinance Summons.**

1. *In General.* If, after investigation, an ACO finds that a person charged with a duty under this Code has failed to act in accordance with that duty, then ACO will ticket the violation. An ACO is authorized to ticket a Code violation by use of a written warning ticket or a County ordinance summons adopted by County Council in accordance with S.C. Code §56-7-80. The ACOs shall use a separate warning ticket or ordinance summons to cite each violation of the Code.
2. *At Large Violations.* In accordance with §47-3-40, a keeper who has committed a violation of having an animal at large shall be subject to either, but not both, of the following for the violation: (a) payment of the redemption and boarding fees or (b) an ordinance summons.

**§5-202 Penalties.**

1. Violations of the Code shall be ticketed as follows:
  - a. For a first violation, the violator shall be issued a written warning ticket.
  - b. For a second and any subsequent violation, the violator shall be issued an ordinance summons.
2. Any person who is issued an ordinance summons and convicted of the stated violation shall be fined as follows:
  - a. For a first ordinance summons, a civil penalty of \$150.
  - b. For a second and any subsequent violation, a civil penalty of \$500.