

ANIMAL CONTROL CODE

Article 2 – Animal Control Organization

§2-101 Animal Control Department.

The County shall maintain an Animal Control Department. The Department shall be operated as a part of the administration of the County and shall not be under the supervision or control of the Orangeburg County Sheriff. The County may employ such personnel and provide such equipment reasonably necessary for the Department to enforce the Code up to, but not exceeding, what Council authorized in the Department's annual budget.

§2-102 Animal Control Director.

The head of the Department shall be known as the Director.

1. *Appointment.* With input from the deputy administrator of the division that supervises the Department, the Administrator shall appoint the Director.
2. *Qualifications.* To be qualified for appointment as Director, the candidate shall possess whatever is required in the then-current County job description for the position.
3. *Limitations, Duties, Powers.*
 - a. *Specific Limitation.* The Director shall not be empowered to hire Department personnel.
 - b. *Duties.* The Director shall have the duty to:
 - i. Supervise and control Department personnel, including causing personnel to receive and remain current as to State-mandated training, initiating disciplinary action when appropriate;
 - ii. Supervise, control and maintain the animal shelter;
 - iii. Collect and turn over to the County Treasurer all kennel inspection, redemption and boarding fees;
 - iv. Retain and dispose of all Department records in accordance with mandatory State law and, if more extensive, in accordance with the County's records retention guidelines and schedules; and
 - v. Seek legal assistance from the Office of the County Attorney in carrying out the duties and powers of the Director.
 - c. *Powers.*
 - i. Consistent with the provisions of this Code, the Director has the power to establish or revoke Regulations and Operating Policies pursuant to the following procedure:
 1. The Director shall confer with the County Attorney to create or revoke a written regulation or operational policy;

2. The Director shall submit any proposal or revocation to the deputy administrator in the Director's chain of command who shall either (i) recommend same to the Administrator or (ii) return same to the Director noting the reason(s) for not recommending same to the Administrator. If the deputy administrator decides to make a recommendation, the deputy administrator shall present it to the Administrator who, in turn, will either consent to or reject same, and return it to the deputy administrator for appropriate action.
 3. The Director shall maintain a centralized filing system for all proposed regulations and operational policies, whether established, rejected, or revoked, that preserves each and its disposition through the relevant chain of command.
 4. The Director shall maintain a centralized filing system of the then-current regulations and operational policies that will be known as the Regulations and Operational Policies. The centralized filing system shall be such that whatever is currently in effect is separate from what is not in effect, and those in effect are easily identifiable and accessible to the public.
- ii. After turning fees over to the Treasurer, the Director shall have access to kennel, redemption and boarding fees for use in defraying the cost of operating the animal shelter.

§2-103 Animal Control Officers.

1. Upon the advice of the Director, deputy administrator and Administrator, Council shall determine whether to appoint an employee as an ACO. No person shall act as an ACO unless a current appointee of Council.
2. No person shall be eligible for appointment as an ACO until the following have all occurred:
 - a. The person has successfully completed all State-mandated training, including certification as a euthanasia technician; and
 - b. The person has successfully completed any County-required training.
3. The Director shall relieve an ACO of duties if at any time during the ACO's tenure the ACO is out of compliance with any required certifications or ongoing training requirements.
4. An ACO shall have the duty and the power to enforce this Code within the enforcement areas.
5. ACOs shall not take custody of an animal unless there is room at the animal shelter to impound the animal.

§2-104 Animal Shelter.

In accordance with §47-3-30, a County animal shelter shall be maintained for the following purposes:

1. For evaluation of animals the ACOs have taken into custody;
2. For one of the following post-evaluation dispositions:
 - a. Impoundment of qualified animals for the applicable time period; or
 - b. Euthanasia and disposal of animals not qualified for impoundment.

3. For sheltering impounded animals;
4. For keeper redemption of impounded animals; and
5. For final disposition of unredeemed animals at the conclusion of the applicable impoundment period, including:
 - a. Transfer of ownership to the SPCA of those adoptable animals the SPCA is willing to receive; or
 - b. Euthanasia and disposal of the animals the SPCA is unable to receive.

The animal shelter shall not be used to receive animals abandoned at private care or boarding facilities.

§2-105 Municipal Enforcement.

This Code shall not apply within the boundaries of any municipality unless the following occurs:

1. The municipality adopts pursuant to its ordinance procedure this Code;
2. The municipality authorizes pursuant to its resolution procedure the then-current standard County intergovernmental agreement;
3. The County authorizes pursuant to its resolution procedure the then-current standard County intergovernmental agreement; and
4. The municipality and the County execute the then-current standard County intergovernmental agreement for County enforcement of the Code within the municipality's corporate boundaries.

If the foregoing has occurred, then the municipal boundaries of the relevant municipality shall be a part of the enforcement areas.