



Richland County Council

ORDINANCE REVIEW AD DOC COMMITTEE
October 16, 2018 – 1:00 PM
4TH FLOOR CONFERENCE ROOM
2020 Hampton Street, Columbia, SC 29202

Dalhi Myers	Bill Malinowski	Norman Jackson
District 10	District 1	District 11

1. **Call to Order** The Honorable Bill Malinowski
2. **Adoption of Agenda**
3. **Election of Chair**
4. **Review of November 15, 2016 Minutes [PAGES 2-4]**
5. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County [PAGES 5-6]**
6. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential and Commercial Zones of the County; so as to define vehicles subject thereto [PAGES 7-9]**
7. **An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification [PAGES 10-11]**
8. **Other Items:**
 - a. **Proposed Amendment to Chapter 5 – Animals and Fowl**
 - b.
9. **Adjournment**

ATTACHMENT A
RICHLAND COUNTY COUNCIL
SOUTH CAROLINA

ORDINANCE REVIEW AD HOC COMMITTEE

November 15, 2016
2:00 PM
Administration Conference Room

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building

CALL TO ORDER

Ms. Dixon called the meeting to order at approximately 2:04 PM

APPROVAL OF MINUTES

July 12, 2016 – Mr. Malinowski moved, seconded by Ms. Dixon, to approve the minutes as distributed. The vote in favor was unanimous.

ADOPTION OF THE AGENDA

Mr. Malinowski moved, seconded by Ms. Dixon, to adopt the agenda as published. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County – Mr. Price stated this item was brought forward by the Sheriff's Department to amend the language of the ordinance to remove the word "decibels".

Ms. Dixon stated when this discussed previously the Sheriff's Department stated they had no way to measure the decibels when a noise complaint is received.

Major Meetze stated each deputy would have to be supplied with a decibel reader with the existing ordinance language and she is unsure of the accuracy of the decibel readers. The Sheriff's Department is requesting to allow the deputy to use his/her discretion when responding to a complaint.

Mr. Malinowski stated utilizing the deputy's discretion was one of his concerns when this item was brought to Council previously. In addition, much of the wording of the ordinance is ambiguous and up for interpretation.

Major Meetze stated the ordinance as written is not practical for the Sheriff's Department to enforce. In court the decibel readings and/or officer's discretion can be argued. Therefore it is a lose/lose situation.



Committee Members Present

Julie-Ann Dixon, Chair
Bill Malinowski

Others Present:

Geo Price
Kevin Bronson
Michelle Onley
Roxana Meetze
Lauren Hogan

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Ms. Barbara Roach, President of the Meadowlake HOA, expressed concern with regard to the “weeds and rank vegetation” ordinance, as well as, the noise ordinance.

Mr. Jim O’Brien, Briarwood Neighborhood Association, expressed concerns with vehicles parking in the yards.

Mr. Jim Bresneck, Woodlands Subdivision, expressed concern regarding all three of the agenda items.

Major Meetze requested the wording of Section 18.3(g) be reviewed for clarity.

A discussion took place regarding this item being tabled in committee in the past.

Mr. Malinowski moved, seconded by Ms. Dixon, to request the Sheriff’s Department to research the costs of obtaining decibel readers and to determine what decibels is deemed too loud. In addition, to have legal review the ordinance prior to it being brought back to committee in February.

The Sheriff’s Department reiterated the fact that each deputy will need to have a decibel reader and that each reader will have to be calibrated and certified.

Mr. Malinowski made a friendly amendment to the motion to have staff review noise ordinance in other like-sized counties.

The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential and Commercial Zones of the County; so as to define vehicles subject thereto – Mr. Bronson stated the complaints regarding parking on the front lawn were to be tracked by the Ombudsman’s Office, which is a separate issue from the item being taken up by the committee.

Mr. Malinowski requested a definition of the following: “Rural Residential, Single-Family Residential, Manufactured Home or General Residential”.

The Sheriff’s Department stated the community would like to see the acreage necessary to parking a tractor trailer to be increased and the acreage for unlicensed and inoperable vehicles to be reduced.

In addition, “staging” a truck tractor is not clearly defined in the ordinance.

The committee recommended removing the “staging” language from the ordinance and have the acreage the same across the board. The suggestion from the Sheriff’s Department is 3 acres for tractor trailer and unlicensed and inoperable vehicles.

Major Meetze stated a lot of the HOAs are finding they have no legal standing to enforce their covenants. The residents are therefore requesting the Sheriff’s Departments assistance with the enforcing the County’s ordinances.

The Sheriff’s Department also recommended changing the ordinance language to address the covering of unlicensed and/or inoperable vehicles and insuring these vehicles are not visible from the roadway.

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Mr. Malinowski moved, seconded by Ms. Dixon, to instruct the Planning Department to immediately begin working on an ordinance that will layer the different areas of the County (i.e. Rural, Subdivisions and Neighborhoods, Urban and Suburban) to address the issues of vehicular parking. After legal review the ordinance will be brought back to committee in February. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification – The Sheriff’s Department stated the complaints they have received from citizens is that 30 days is too long. The recommendation is for the 30 days to be changed to 14 calendar days and to include the “repeat offender” clause to allow the Sheriff’s Department to cite the owner once the owner has been notified.

Mr. Malinowski requested the word “etc.” be removed from letters (c) and (d).

Mr. Malinowski moved, seconded by Ms. Dixon, to reduce the height from 3 ft. to 1 ft. as requested by the Sheriff’s Department. The vote in favor was unanimous.

The amended ordinance will be brought back to committee in February.

ADJOURNMENT

The meeting adjourned at approximately 3:34 PM

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council



**Ordinance Review Ad Hoc Committee Meeting
Briefing Document**

Agenda Item

Information responsive to items discussed/questions raised at the last Ordinance Review Ad Hoc Committee meeting, held on November 15, 2016 and as documented in the attached meeting minutes (Attachment A).

Background

The Ordinance Review Ad Hoc Committee last met on November 15, 2016. A number of questions/directives were raised at that meeting. The below provides response/clarification for discussion at the next Committee meeting (TBD).

1. Item: An Ordinance Amending the Richland County Code of Ordinances; Chapter 18 Offenses; Section 18-3, Noise; so as to limit noise in the unincorporated areas of Richland County.

Action: The Committee voted to have staff review noise ordinances in other like-sized counties.

Response: See attached proposed ordinance changes from RCSD (Attachment B).

2. Item: An Ordinance Amending the Richland County Code of Ordinances; Chapter 17, Motor Vehicles and Traffic; Article II, General Traffic and Parking Regulations; Section 17-10, Parking in Residential and Commercial Zones of the County; so as to define vehicles subject thereto.

Committee Questions: Mr. Malinowski requested a definition of the following: "Rural Residential, Single-family Residential, Manufactured Home or General Residential".

Response: Per the zoning ordinance (Chapter 26), the following are *purpose* statements for each (there are no direct definitions):

- Rural Residential (RR) (26-87) - The RR District is intended to be used for single-family detached dwelling units and limited, private agricultural endeavors. The requirements for this district are designed to provide suitable open space for very low-density residential development so as to retain an optimum amount of open space to maintain a rural setting, yet afford residential developments a minimal amount of urban character. This district is a transition zone between the RU Rural District and the more urban RS-E and RS-LD Residential, Single-Family Low Density Districts.
- Single-Family Residential (there are several zoning districts related to single family residential)
 - Residential, Single-Family – Estate District (RS-E) (26-88) - The RS-E District is intended to be used for single-family detached dwelling units on large "estate" lots.

The requirements for this district are designed to provide for a low to medium density rural setting for residential development in areas that separate more urban communities from the truly rural portions of Richland County.

- Residential, Single-Family - Low Density District (RS-LD) (26-89) - The RS-LD District is intended as a single-family, detached residential district, and the requirements for this district are designed to maintain a suitable environment for single family living. Non-single family development normally required to provide the basic elements of a balanced and attractive residential area is also permitted.
- Residential, Single-Family - Medium Density District (RS-MD) (26-90) - The RS-MD District is intended as a single family, detached residential district of medium densities, and the requirements for this district are designed to maintain a suitable environment for single family living.
- Residential, Single-Family - High Density District (RS-HD) (26-91) - The RS-HD District is intended as a predominately single-family, detached residential district, and the requirements for this district that has higher densities and smaller permitted lot sizes are designed to maintain a suitable environment for single-family living. In addition to detached single-family development, the RS-HD District also permits attached single-family dwellings and nonresidential development typically found in residential areas.
- Manufactured Home Residential District (MH) (26-92) - The MH District is intended as a residential district allowing for single-family development, but also permitting the development of manufactured home parks subject to special requirements (see Section 26-151 of this chapter). This district will expand the range of housing opportunities available to the residents of Richland County while assuring that manufactured home parks are compatible with existing development in the area. Nonresidential uses normally required to provide the basic elements of a balanced and attractive residential area are also permitted.
- General Residential – Not sure what this is, but the associated ordinance references Multi-family residential in addition to the above:
 - Residential, Multi-Family - Medium Density District (RM-MD) (26-93) - The RM-MD District is intended to permit a full range of low to medium density multi-family housing types, along with single-family detached and zero lot line housing units. Non-residential development that is normally required to provide for the basic elements of a balanced and attractive residential area is also permitted. This district is intended to provide a transitional area between high-density areas and to permit medium density multi-family development in areas where existing conditions make higher density development inappropriate.
 - Residential, Multi-Family - High Density District (RM-HD) (26-94) - The RM-HD District is established to provide for high-density residential development in Richland County, allowing compact development consisting of the full spectrum of residential unit types where adequate public facilities are available. This district is intended to allow a mix of residential unit types to provide a balance of housing opportunities while maintaining neighborhood compatibility. This district may serve as a transitional district between lower density residential and low intensity commercial uses.

Action: The Committee recommended removing the “staging” language from the ordinance and have the acreage the same across the board. The suggestion from the Sheriff’s Department is 3 acres for tractor trailer and unlicensed and inoperable vehicles. The Sheriff’s Department



also recommended changing the ordinance language to address the covering of unlicensed and/or inoperable vehicles and insuring these vehicles are not visible from the roadway.

Response: See attached proposed ordinance changes from RCSD (Attachment C).

Action: Mr. Malinowski moved, seconded by Ms. Dixon, to instruct the Planning Department to immediately begin working on an ordinance that will layer the different areas of the County (i.e. Rural, Subdivisions and Neighborhoods, Urban and Suburban) to address the issues of vehicular parking. After legal review the ordinance will be brought back to committee in February. The vote in favor was unanimous.

Response: The Planning Department has been exploring ways, in concert with RCSD, to establish different standards for issues like rank vegetation and tractor trailer parking as dictated by area context (rural, suburban or urban places). To that end, the development of a fully vetted and nuanced map (and subsequent ordinance relating to Chapter 26, but potentially transferable to 17 and 18) is a part of our Code rewrite, currently underway.

Before that is completed, however, the attached could serve the same purpose (Attachment D). This map simplifies the County's future land use categories, broadly establishing rural, suburban and urban zones within unincorporated Richland County. Depending on the parcel's location as it relates to this, the rules for the items the Committee is reviewing could be different. While this is not scientific, it offers a productive point of departure.

3. Item: An Ordinance Amending the Richland County Code of Ordinances; Chapter 18, Offenses; Section 18-4, Weeds and Rank Vegetation; so as to amend the time for notification

Action: The Sheriff's Department stated the complaints they have received from citizens is that 30 days is too long. The recommendation is for the 30 days to be changed to 14 calendar days and to include the "repeat offender" clause to allow the Sheriff's Department to cite the owner once the owner has been notified.

Mr. Malinowski requested the word "etc." be removed from letters (c) and (d).

Mr. Malinowski moved, seconded by Ms. Dixon, to reduce the height from 3 ft. to 1 ft. as requested by the Sheriff's Department. The vote in favor was unanimous.

Response: See attached proposed ordinance changes from RCSD (Attachment E). Note the ordinance currently sets the height at 2'; not 3'. Further, RCSD does not recall supporting a reduction to 1' and contends this would be very difficult to enforce, Countywide, with current staffing.

4. Other information

Not discussed at the last Ordinance Review Ad Hoc Committee meeting, but relevant to this discussion are changes RCSD would propose to Chapter 5 - Animals and Fowl (Attachment F)



Issues

In general, staff would note concerns over our ability to proactively enforce ordinances throughout unincorporated Richland County. Currently, Community Planning & Development has two (2) zoning/land use inspectors and two (2) business license inspectors. RCSD has six (6) code enforcement officers. This presents substantial constraints in patrolling the County.

Submitted by: Tracy Hegler, Community Planning & Development Director and Deputy Chief Cowan, Richland County Sheriff Department

Date: October 12, 2018



ATTACHMENT B

Sec. 18-3. Noise .

~~—(a) It shall be unlawful for any individual within any residential zone of the unincorporated areas of the county to use or operate any radio, receiving set, musical instrument, phonograph set, television set, or other machine or device for the producing or reproducing of sound, or to create, assist in creating, permit, continue, or permit the continuance of any noise, including vehicular noise, in excess of sixty-two (62) decibels between the hours of 7:00 a.m. and 10:00 p.m. of one day and in excess of fifty-five (55) decibels between the hours of 10:00 p.m. of one day and 7:00 a.m. of the following day, or in a manner which is deemed to be excessive by the county sheriff's department.~~

~~—(b) This section does not apply to industrial, commercial, or manufacturing noise; noise on construction sites; or noise generated from the lawful operation of farm equipment.~~

~~—(c) Notwithstanding the inclusion of the term "commercial" in subsection (b), above, the unlawful generation of noise as described in section 18-3(a) explicitly applies to nightclubs that sell alcoholic beverages.~~

~~—(d) This section shall be enforced by the county sheriff's department. A deputy sheriff responding to a complaint of excessive noise shall have the discretion to enforce this section by one of two means:~~

~~—(1) If the noise complained of appears to be excessive, the deputy may charge the violator with a misdemeanor;~~

~~—(2) If the noise violates the decibel levels set forth in subsection (a) hereof, the deputy sheriff responding to a complaint of excessive noise may charge the violator with a misdemeanor.~~

(a) Definition.

As used below, *plainly audible* means any sound that can be detected by a person using his or her unaided hearing facilities.

(b) Noise—Amplified sound from vehicles.

It shall be unlawful for any person to play, operate, or cause to be played or operated, any radio or other vehicular music or sound amplification or reproduction equipment in such a manner as to be plainly audible at a distance of 50 feet in any direction from the vehicle or plainly audible within the residential dwelling of another. The detection of the rhythmic bass component of the music or sound is sufficient to constitute a plainly audible sound. Prohibitions contained in this section shall not be applicable to emergency or public safety vehicles for sound emitted during job-related operation.

(c) Noise

(1) It shall be unlawful for any persons to make, continue, or cause to be continued, any loud, excessive, unnecessary, or disturbing noise, or any noise which either annoys, disturbs,

- injures, or endangers the comfort, repose, health, peace or safety of others, within the limits of the unincorporated area of the county, except with the permit of the sheriff.
- (2) A loud, excessive, unnecessary, or disturbing noise is defined as any sound regulated by paragraph (1) above, which is plainly audible at a distance of 50 feet from its source.
- a. The following noises shall be exempt from the prohibitions of paragraph (1), even when they cause a disturbance:
- i. Noise from domestic power equipment including, but not limited to, chain saws, sanders, grinders, lawn and garden tools or similar devices operated after 6:00 a.m. and no later than 10:00 p.m.
 - ii. Noise generated by any construction, demolition equipment, or mineral extraction (including crushing, screening, or segregating) or industrial or manufacturing noise.
 - iii. Emergency maintenance, construction or repair work.
 - iv. Noises resulting from any authorized emergency vehicles.
 - v. Noise from school bells, church bells or chimes.
 - vi. Any noise resulting from activities sponsored or co-sponsored by the county.
 - vii. Noise created by any government-sponsored events or privately organized sports, recreation, or athletic events.
 - viii. Noise generated by licensed hunting on property where it is allowed.
 - ix. Noise generated by agricultural or farming activities.
- (3) The complaints of three or more persons, or of one or more persons when combined with the complaint of the county sheriff or any lawful officer serving under him, is prima facie evidence that a sound regulated by paragraph (a) annoys, disturbs, injures, or endangers the comfort, repose, health, peace and safety of others, in violation of this section.
- (4) Noises audible in public streets or public places which violate the standards of this section are hereby declared to be public nuisances, which may be abated by the county sheriff or any lawful officer serving under him.
- (d) This section shall be enforced by the Richland County Sheriff's Department. Violations of this section shall be punishable by a fine of up to \$500.00 or imprisonment not to exceed 30 days. Each violation shall constitute a separate offense.

ATTACHMENT C

Sec. 17-10. Parking in residential and commercial zones of the county.

(a) For the purpose of this section, the following definitions shall apply:

(1) *Fitted cover*, for the purpose of this section, means a cover that conforms to the basic shape of the vehicle and covers all portions of such vehicle.

(2) *Motor Vehicle* means every vehicle which is self-propelled, except mopeds, and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails.

(3) *Semi-trailer* means every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle, and constructed that some part of its weight and that of its load rests upon or is carried by another vehicle; and exceeds a gross weight of 10,000 pounds, or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds.

(4) *Trailer* (other than semi-trailer) means every vehicle, with or without motive power, designed for carrying persons or property and for being drawn by a motor vehicle; and which does not exceed a gross weight of 10,000 pounds, or a manufacturer's gross vehicle weight rating (GVWR) of 10,000 pounds. This definition excludes camping trailers, boat trailers, travel trailers, and utility trailers, as such are regulated in the Richland County Land Development Code at Section [26-173](#) (f).

(5) *Truck tractor* means every motor vehicle designed and used primarily for drawing other vehicles; and not so constructed as to carry a load other than a part of the weight of the vehicle and the load drawn.

(b) It shall be unlawful for a truck tractor, a semi-trailer, or a trailer to be parked on any public street, road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or General Residential under the Richland County Zoning Ordinance and the "Zoning Map of Unincorporated Richland County", as amended.

(c) Except as is provided in subsection (d), below, it shall be unlawful for any truck tractor, semi-trailer or trailer to be parked, stored or located on a lot in any residential zoning district in the unincorporated areas of the county [except for those parcels that are ~~one (1)~~ *three (3) acres* or greater in the (RU) Rural zoning district] unless the entire portion of such truck tractor, semi-trailer or trailer is parked, stored or located in an enclosed garage or in a carport at the residence, or is enclosed under a fitted cover.

(d) Notwithstanding subsections (b) and (c), above, truck tractors, semitrailers or trailers that are in active use in the provision of a service or delivery or removal of property or material at or from a residence in a residential zoning district may park on the public street, road, right-of-way or lot at which the service is being provided or the delivery or removal is being made, for only the duration of the service provision or delivery or removal as provided for herein. For purposes of this section, "active loading or unloading" shall include, but not be limited to, the delivery or removal of furniture, yard trash or debris, household or building materials, tangible personal property and the like, evidenced by the active involvement (e.g., the loading, unloading, service provision or supervision thereof) of the owner, operator, delivery personnel, service provider, or other person responsible for parking or causing to be parked the truck tractor, semi-trailer or trailer while the truck tractor, semi-trailer or trailer is parked on the public street, road, right-of-way or lot subject to this section. For purposes of this section, "active loading

and unloading” does not include parking or “staging” a truck tractor, semi-trailer or trailer, leaving the same unattended and then engaging in loading, unloading, removal or service provision at a subsequent point beyond twenty-four (24) hours.

(e) It shall be unlawful for a motor vehicle, or wheeled conveyance of any kind required by law to be licensed that is unlicensed, or is displaying an expired or invalid license to be parked on any public street or road, right-of-way or as otherwise prohibited by the Richland County Code of Ordinances in the unincorporated portions of the county which are or hereafter shall be designated as Rural Residential, Single-Family Residential, Manufactured Home, or Multi-Family Residential under the Richland County Zoning Ordinance and the “Zoning Map of Unincorporated Richland County”, as amended.

(f) All motor vehicles or trailers without a valid state-issued license plate permitting operation on public roads and highways, which are stored, parked, or located on a lot in any zoning district in the unincorporated areas of the county, except for those parcels that are three (3) acres or greater in the (RU) Rural zoning district, are required to be kept in a garage, carport, or protected from the elements by a fitted cover. Licensed ~~automobile dealerships, automobile dealerships, body or mechanical repair shops, towing services,~~ persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.

(g) Any motor vehicle or trailer that is not capable of operating in accordance with South Carolina law or, in the case of a motor vehicle, not capable of moving under its own power (even if it has a valid state-issued license plate permitting operation on public roads and highways) shall not be stored, parked, or located on a lot in any residential or commercial zoning district in the unincorporated areas of the county (except for those parcels that are three (3) acres or greater in the (RU) Rural zoning district) for more than ~~forty-five (45) thirty (30)~~ consecutive days unless it is kept in an enclosed garage, in a carport, or protected from the elements by a fitted cover. ~~Licensed automobile dealerships, body or mechanical repair shops, towing services, persons licensed to conduct businesses involving storage and sale of junk and scrap, trailers utilized as temporary structures in conjunction with construction activities, and vehicles used in agricultural operations and which are not operated on the public roads and highways are exempt.~~

(h) *Penalties:* Upon a finding by a deputy sheriff of a violation, any offender shall have an opportunity to cure the violation within a prescribed period of time; provided that the period of time allowed shall not begin to run until notice of the violation is provided to the offender. Notice shall be sufficient if provided by personal contact directly with the offender or by talking on the telephone with the offender, by the offender having accepted written notice by certified mail, or by placement of a notice of violation on the vehicle, motor vehicle, truck tractor, semitrailer, or trailer. If the offender, resident, owner of the vehicle, motor vehicle, truck tractor, semi-trailer, or trailer or owner of the real property on which the violation occurred fails to take proper corrective action, in the prescribed time, such person shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not more than five hundred (\$500.00) dollars or imprisoned for

not more than thirty (30) days, or both. Each day such violation continues after due notice shall be considered a separate offense. Any owner and/or operator of a vehicle, motor vehicle, truck tractor, semi-trailer, or trailer which is in violation of this section (or if the offender is unable to be located, any owner of land on which the violation occurred), and any person who commits, participates in, assists in, or maintains that violation may each be found guilty of a separate offense and suffer the penalties set forth herein. In the event that an offender has been previously cited for or given notice of a violation of this section, enforcement action may be taken immediately without the requirement of an opportunity to cure the violation.

(i) *Administration and enforcement:* The Sheriff of Richland County shall be authorized to enforce the provisions of this section and to engage a towing service to remove any vehicle parked in violation of these regulations, provided the cost of towing services shall be charged to the registered owner of any vehicle so removed.

(Ord. No. 061-01HR, § I, 9-4-01; Ord. No. 054-02HR, § II, 10-1-02; Ord. No. 040-03HR, § I, 6-3-03; Ord. No. 053-06HR, § I, 6-6-06; Ord. No. 009-10HR, § I, 2-16-10; Ord. No. 001-15HR, § I, 2-10-15)

RICHLAND COUNTY PROPOSED AREA TYPES

The Proposed Area Types on this map consolidate detailed uses put forth and adopted in the 2015 Comprehensive Plan. More information of the detailed Future Land Uses can be found in Section 5 [Pg. 19-61] of the Comprehensive Plan.

Nine [9] Future Land Uses are consolidated as:

Urban

- Mixed Residential (High Density)
- Mixed-Use Corridor


Suburban

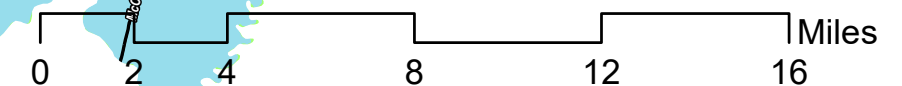
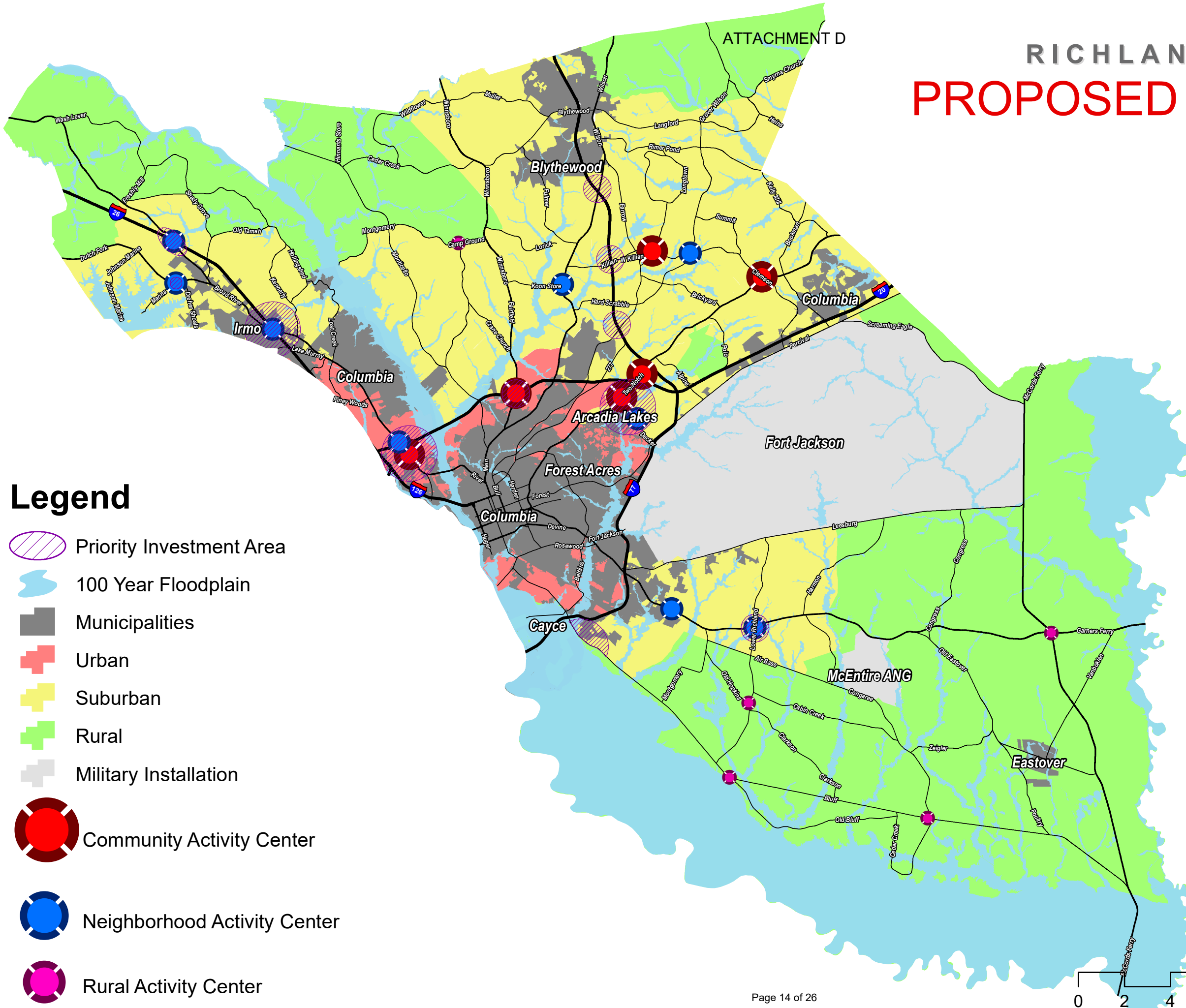
- Neighborhood (Low Density)
- Neighborhood (Medium Density)
- Mixed-use Corridor
- Economic Development Center/Corridor

Rural

- Conservation
- Rural (Large Lot)
- Rural (Small Lot)

Legend

-  Priority Investment Area
-  100 Year Floodplain
-  Municipalities
-  Urban
-  Suburban
-  Rural
-  Military Installation
-  Community Activity Center
-  Neighborhood Activity Center
-  Rural Activity Center



ATTACHMENT E

Sec. 18-4. Weeds and rank vegetation.

(a) *Definition.* For purpose of this section, the term “weeds and rank vegetation means dense, uncultivated, herbaceous overgrowth over two (2) feet in height, or briars and trailing vines exceeding ten (10) feet in length.

(b) *Declaration of nuisance.* Weeds and other rank vegetation allowed to grow to a height of two (2) feet and stand upon any lot or parcel of land in a developed residential area or commercial area within the county may be deemed and declared a nuisance in the judgment of the sheriff. For the purpose of this action, “residential area” is defined as property zoned for a residential use, platted for residential use with a plat having been begun, installation of utilities having been begun and construction of residential units being commenced. “Commercial area” shall be defined as it is in section [26-21](#) of this code.

(c) *Duty of owner, etc., to cut.* It shall be the duty of any owner, lessee, occupant, agent, or representative of the owner of any lot or parcel of land in a developed residential area or commercial area within the county to cut, or cause to be cut, all weeds and other rank vegetation, as described in this section, as often as may be necessary to prevent the growth of such weeds and other rank vegetation. However, lots of one acre or more are not required to be cut back more than fifty (50) feet from the road and each side property line.

(d) *Notice to owner, etc., to cut.* Whenever the sheriff shall find that weeds or other rank vegetation has been allowed to stand upon any lot or parcel of land in a developed residential area or commercial area within the county in such a manner as to constitute a nuisance, s/he may serve written notice upon the owner, or the occupant of the premises, or upon the agent or representative of the owner of such land having control thereof to comply with the provisions of this section. It shall be sufficient notification to deliver the notice to the person to whom it is addressed or to deposit a copy of such in the United States mail, properly stamped, certified, and directed to the person to whom the notice is addressed, or to post a copy of the notice upon such premises. *In the event that an offender has been previously cited for or given notice of a violation of this section, enforcement action may be taken immediately without the requirement of an opportunity to cure the violation.*

(e) *Failure to comply with notice.* If the person to whom the notice is directed, under the provisions of the preceding subsection, fails or neglects to cause such weeds or other rank vegetation to be cut and removed from any such premises within ~~thirty (30)~~ **fourteen (14) calendar** days after such notice has been served or deposited in the United States mail, or posted upon premises, such person shall be deemed guilty of a misdemeanor and subject to the penalty provisions of section [1-8](#) of this code.

(f) *Removal by county.* In the event any property is determined to be a nuisance, and ~~thirty (30)~~ **fourteen (14) calendar** days has elapsed after such notice has been served, deposited in the United States Mail, or posted upon the premises, then the department of ~~public works special services~~ or its duly authorized agent or representative may enter upon any such lands and abate such nuisance by cutting and removing such weeds or other rank vegetation, and the cost of doing so may become a lien upon the property affected, or may be recovered by the county through judgment proceedings initiated in a court of competent jurisdiction.

(g) *Work may be done by county upon request.* Upon the written request by the owner or the person in control of any lot or parcel of land covered by this section, and the payment to the county for the services, the department of ~~public-works~~ **special services** may enter upon any such lands and cut and remove the weeds or other rank vegetation therefrom, the charge and cost of such service to be paid into the county treasury.

(Ord. No. 1130-84, §§ 1-7, 3-6-84; Ord. No. 1611-87, §§ 1-5, 5-5-87; Ord. No. 1843-89, §§ I-III, 3-7-89; Ord. No. 2086-91, §§ I, II, 4-16-91; Ord. No. 051-02HR, § III, 9-17-02; Ord. No. 010-10HR, § I, 2-16-10; Ord. No. 002-16HR, § I, 2-19-16)

Editor's note--Ord. No. 2154-91, § I, adopted Nov. 19, 1991, repealed in its entirety former section [18-4](#), which restricted smoking in public places and derived from Ord. No. 1568-86, § 1, adopted Jan. 31, 1987.

ATTACHMENT F

Sec. 5-1. Definitions.

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

Abandon shall mean to desert, forsake, or intend to give up absolutely an animal without securing another owner.

Abuse shall mean the act of any person who deprives any animal of necessary sustenance or shelter, or inflicts unnecessary pain or suffering upon any animal, or causes these things to be done.

Animal shall mean, in addition to dog and cat, any organism of the kingdom of Animalia, other than a human being.

Animal Care Officer shall mean any person employed by the county to enforce the animal care program.

Animal Care Facility shall mean any premises designated by the county for the purpose of impounding, care, adoption, or euthanasia of dogs and cats held under authority of this chapter.

At large shall mean a pet running off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device.

Domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors which were historically domesticated for human companionship and service.

Non-domestic shall mean any animal which shares the genetic makeup and/or physical appearance of its ancestors which were not historically domesticated for human companionship and service.

Nuisance shall mean 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.

Maltreatment means the act of any person who deprives any animal of necessary sustenance or shelter, or inflicts unnecessary pain and/or suffering upon any animal, or causes these things to be done. This shall include failure of an animal owner to provide, or seek, medical care that would prevent unnecessary pain and/or suffering upon any animal.

Owner shall mean any person who:

- (1) Has a property right in an animal;
- (2) Keeps or harbors an animal or who has it in his or her care or acts as its custodian; or
- (3) Permits an animal to remain on or about any premises occupied by him or her.

Pet shall mean a domestic dog (*canis familiaris*) and/or a domestic cat (*felis catus domesticus*).

Shelter shall mean any structure appropriately sized for the pet to stand or lie in a normal manner. The structure must have a roof, three sides, appropriate sized opening for the entry and exit and a floor so as to protect the pet from the elements of weather.

Under restraint shall mean a pet that is on the premise of its owner or keeper by means of a leash, fence or other similar restraining device, or is on the premises of its owner or keeper and accompanied by the owner/keeper, or a pet that is off the premises of its owner or keeper but is accompanied by its owner or keeper and is under the physical control of such owner or keeper by means of a leash or other similar restraining device.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § I, 2-7-12)

Cross reference(s)--Rules of construction and definitions generally, § [1-2](#).

📖 Sec. 5-2. Differential county and commercial pet breeder license fees; rabies vaccination tags.

(a) It shall be unlawful for the owner of any pet to fail to provide any pet over four (4) months of age with a current county license tag. The owner of any pet over four (4) months of age must

also have a current rabies vaccination tag showing that such pet has been vaccinated by a licensed veterinarian. No license will be issued unless proof of inoculation is shown. Any pet owner who moves into the county for the purpose of establishing residency shall have thirty (30) days in which to obtain the license.

(b) The county license fee for fertile pets shall be twenty dollars (\$20.00) per year. The county license fee for sterilized pets shall be four dollars (\$4.00) per year. Licenses will expire one (1) year after the date of issue, and owners will have until the end of the month of original issue to renew the licenses.

(c) The Animal Care Department shall annually provide a sufficient number of durable tags suitable for pets numbered from one (1) upwards on which shall be stamped the year and the words "pet license." Such tags must be worn by all pets in the county at all times. Any pet owner who has their animal tattooed may register the tattoo number with the Animal Care Department in addition to obtaining a tag.

(d) It shall be unlawful for a commercial pet breeder to fail to obtain a county commercial pet breeder license. The requirements for such a license are as follows:

(1) Individuals engaged or intending to engage in breeding as a business, occupation, or profession must obtain a commercial pet breeder license from the Animal Care Department. Additionally, such breeders must obtain a separate business license through the County's Business Service Center.

(2) First time applicants must have all pets that have reached the age of four (4) months, currently licensed with a County pet license, before applying for the commercial pet breeder license.

(3) The Animal Care Department, through its Animal Care Officers, shall conduct an inspection of the property for the license requested by the applicant to determine whether the applicant qualifies to hold a license pursuant to this section.

(4) During an inspection, an Animal Care Officer will be looking for the following:

a) The enclosure where the pets are being kept should be constructed in such a manner that any pets housed there will be adequately and comfortably kept in any season of the year.

b) The location of all pet enclosures should be in such a position so that it can be easily cleaned and sanitized. Any kennels or yards that are connected or are used to confine the pets must be kept clean and free from accumulations of feces, filth, mud and debris.

c) Every pet on the premises should have constant access to a clean and fresh water supply. All pets must also have an adequate amount of appropriate food to maintain each pet's normal condition of health.

d) The premises must be set up in such a manner as to not allow pets to stray beyond its enclosed confines. The setup must also prevent the public and stray animals from obtaining entrance into or gaining contact with any pets on the premises.

e) Every pet that has reached the age of four (4) months on the premises must have a valid pet license on file with Richland County.

(5) A license will not be issued to an applicant that has pled no contest, or has been found to have violated any federal, state, or local laws or regulations pertaining to animal cruelty within (5) years of the date of application.

(6) License registration should be made prior to any litter being delivered. Failure to timely register under this ordinance may result in additional penalties.

(7) A commercial pet breeder license is not transferrable to another person or location.

(8) The inspection fee for a county commercial pet breeder license shall be one hundred (\$100.00) dollars annually. The license shall expire one year after the date of issue.

(9) Any violations found under the provisions of this Chapter shall be grounds for the suspension of the commercial pet breeder license if deemed necessary by the Animal Care Department. Re-instatement shall be determined on a case by case basis.

i. The commercial pet breeder license of any licensee whose license has been suspended shall remain inactive and all breeding shall cease until the license has been reinstated or a new license is issued.

(10) In addition to the inspection fee for the commercial pet breeder license, a pet breeder is required to adhere to the licensing requirements of the county pet license as set forth in subsections (a) and (b) of this section; so that there is a requirement of one (1) commercial pet breeder license per breeder in addition to one (1) county pet license per pet that has reached a minimum age of four (4) months and is still in their custody.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § II, 2-7-12)

📖 Sec. 5-3. Exemptions from differential licensing.

(a) The following classifications of owners of pets shall be exempt from paying the higher license fee for fertile pets. These exempt persons shall be required to purchase a license for their pet but will pay only a fee of four dollars (\$4.00) for each license and will not be required to have the pet spayed/neutered:

(1) Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not withstand spay/neuter surgery;

(2) Any owner of one or more purebred pets who can furnish proof of participation in nationally recognized conformation or performance events within the past twelve months.

(3) Any owner of a dog that is currently being used for hunting purposes and has properly been registered with a nationally recognized organization which sanctions hunting tests and/or field trials. Such registration must be accompanied by proper documentation that will be required to receive this exemption.

(b) Any owner of a dog which is trained to be an assistance dog for its owner shall be required to obtain an annual license but shall not be required to pay any license fee.

(c) The county Animal Care Department shall maintain the name and address of each party to whom a license and tag have been issued under the provisions of this section and shall keep the same on file in the offices of the department for the purpose of identification.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § III, 2-7-12)

📖 Sec. 5-4. Dangerous or vicious animals.

(a) No person owning or harboring or having the care or the custody of a dangerous animal may permit the animal to go unconfined on his premises. A dangerous animal is unconfined as the term is used in this section if the animal is not securely confined indoors or confined in a securely enclosed and locked pen or "run" area upon the person's premises. The pen or run area also must have either: 1) sides six (6) feet high, or 2) a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground at a depth of no less than one (1) foot. However, the provisions of this section shall not apply to any animal that is owned by a licensed security company and is on patrol in a confined area.

(b) For the purposes of this section a dangerous or vicious animal shall be defined to be any one of the following:

(1) Any animal with a propensity, tendency or disposition to attack, to cause injury to, or to otherwise endanger the safety of human beings or other domestic animals; or

(2) Any animal which attacks a human being or other domestic animal one or more times without provocation whether or not such attack occurs on the premises of the animal's owner; or

(3) An animal owned or harbored primarily or in part for the purpose of animal fighting or an animal trained for animal fighting.

(c) Any animal that has been determined to be a dangerous or vicious animal may be impounded by the Animal Care Department. Such animals shall not be euthanized unless the owner has surrendered the animal to the animal care facility and has completed and signed a surrender form or until a hearing is held before an appropriate magistrate and the magistrate has determined that the animal should be euthanized. However, if the magistrate has determined that the owner may redeem the animal, the Animal Care Department shall release the animal upon receipt of all redemption fees as described in Section [5-14](#), below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the Animal Care Department and may be euthanized.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § IV, 2-7-12)

📖 Sec. 5-5. Running at large – restraint.

(a) All domestic animals must be kept under restraint or confinement. Any domestic animal not so restrained will be deemed unlawfully running at large in the unincorporated area of the county. Provided, however, this subsection shall not apply to domestic cats that have been spayed or neutered.

(b) Dogs that are participating in hunting events, obedience trials, conformation shows, tracking tests, herding trials, lure courses and other events similar in nature shall not be considered "at large."

(c) In the interest of public safety, if an Animal Care Officer witnesses an animal not under restraint, the officer may exercise the authority to pursue the animal(s) onto private property and/or into an enclosed fenced yard. This authority may only be exercised if it has been determined by the officer that the animal is clearly able to enter and exit from the premises unrestrained and presents an immediate threat of bodily harm to public safety such as, but not limited to: aggressively charging, attempting to bite, or displaying obvious unprovoked acts of aggression. Such pursuit shall end at such time as the animal is no longer at large and/or is under restraint. If an immediate threat to public safety is absent, then a search warrant must be executed in order to enter an enclosed fenced yard.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § V, 2-7-12)

📖 Sec. 5-6. Removal of excrement.

The owner of every pet shall be responsible for the removal of any excretions deposited by his or her pet on public walks and ways, recreation areas, or private property other than that of the owner.

(Ord. No. 066-04HR, § I, 10-28-04)

📖 Sec. 5-7. Injured or diseased pets.

Anyone striking a pet with a motor vehicle or bicycle shall notify the county Animal Care Department who will then take action necessary to make proper disposition of the pet. Any pet received by the animal care facility in critical condition from wounds, injuries, or disease may receive sustaining treatment by a licensed veterinarian until such time as the owner of the pet is contacted. Every effort possible shall be made to contact the owner or veterinarian of the pet via information obtained from its tag or microchip. Any such pet in critical condition, as described in this section, may be humanely destroyed if the owner or veterinarian cannot be contacted within

two (2) hours. If the pet is in severe pain it may be destroyed immediately with agreement from a licensed veterinarian.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § VI, 2-7-12)

📖 Sec. 5-8. Nuisance animals.

(a) The actions of an animal constitute a nuisance when an animal 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.

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

(1) Failure to exercise sufficient restraint necessary to control an animal as required by Section [5-5](#).

(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.

(3) Failure to maintain a dangerous animal in a manner other than that which is described in Section [5-4](#).

(4) Maintaining animals in an environment of unsanitary conditions which results in offensive odors or is dangerous to the animal or to the public health, welfare or safety.

(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.

(6) Allowing or permitting an animal to bark, whine, or howl in an excessive, unwarranted, and continuous or untimely fashion, or make other noise in such a manner so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises.

(7) Maintaining an animal that is diseased and dangerous to the public health.

(8) Maintaining an animal that habitually or repeatedly chases, snaps at, attacks, or barks at pedestrians, bicycles, or vehicles.

(c) An animal that has been determined to be a habitual nuisance by the Animal Care Department may be impounded and may not be returned to the owner until said owner can produce evidence to demonstrate that the situation creating the nuisance has been abated.

(d) Every female animal 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.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § VI, 2-7-12)

📖 Sec. 5-9. Animal care, generally.

(a) It shall be unlawful for an owner to fail to provide his or her animal(s) with sufficient good and wholesome food and water, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment.

(b) It shall be unlawful for a person to beat, cruelly treat, torment, overload, overwork, or otherwise abuse an animal, or cause, instigate, or permit any dogfight or other combat between animals or between animals and humans

[\(c\) -It shall be unlawful for any person to maltreat any animal as defined in Sec. 5-1 of this chapter.](#)

(~~de~~) 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.

(~~ed~~) It shall be unlawful for any owner to abandon an animal in the unincorporated area of the county.

(Ord. No. 066-04HR, § I, 10-28-04)

📖 Sec. 5-10. Sale of pets.

(a) No person shall sell, trade, barter, auction, lease, rent, give away, or display for commercial purpose, any live pet, on any roadside, public right-of-way, public property, commercial parking lot or sidewalk, or at any flea market, fair or carnival.

(b) No person shall offer a pet as an inducement to purchase a product, commodity or service.

(c) No person shall sell, offer for sale or give away any pet under eight (8) weeks of age, except as surrender to a municipal and/or county animal care facility or to a licensed pet rescue organization.

(d) Licensed pet shops, commercial kennels, municipal and/or county animal care facilities, and licensed pet rescue organizations are exempt from the requirements of this section.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § VIII, 2-7-12)

📖 Sec. 5-11. Care of animals during transport.

During transportation, an animal must be provided adequate space and ventilation, and must not be confined in one area for more than thirty-six consecutive hours without being adequately exercised, rested, fed, and watered.

(Ord. No. 066-04HR, § I, 10-28-04)

📖 Sec. 5-12. Seizure and right of entry to protect abandoned, neglected, or cruelly treated animals.

(a) Animal Care Officers and/or Richland County Sheriff's Department Deputies may seek consent from an owner to enter any premises. If consent is obtained Animal Care Officers and/or Sheriff's Deputies may examine any animal(s) and may take immediate custody of the animal(s) when, in his or her opinion, it requires removal from the premises. If the owner does not give permission, the Animal Care Officer and/or Richland County Sheriff's Deputy may obtain a search warrant to enter any premises upon which it is suspected a violation of this chapter exists. Once upon the premises, the officer and/or Sheriff's Deputy may examine such animal and may take immediate custody of the animal when, in his or her opinion, it requires removal from the premises. The Animal Care Officer and/or Sheriff's Deputy shall thereafter petition the appropriate magistrate for a hearing, which shall be a civil proceeding. The hearing shall be set not more than ten days from the date of the seizure of the animal to determine whether the owner, if known, is able to adequately provide for the animal and is a fit person to own the animal. The Animal Care Officer and/or Deputy Sheriff shall cause to be served upon the owner, if known and residing within the jurisdiction wherein the animal is found, written notice at least five (5) days prior to the hearing of the time and place of the hearing. If the owner is not known or cannot be found within the jurisdiction wherein the animal was found, the Animal Care Officer and/or Deputy Sheriff shall post a copy of the notice at the property where the animal was seized. If the pet or animal is seized by the Richland County Sheriff's Department pursuant to this Section the Sheriff's Department will as soon as practicable turn over custody and care of the pet or animal to the Animal Care Department. The pet or animal shall remain in the custody and care of the Animal Care Department until such matter is heard before the magistrate. The magistrate shall make the final determination as to whether the animal

is returned to the owner or whether title is transferred to the Animal Care Department whereby the animal may be put up for adoption or humanely destroyed. If the magistrate orders the return of the animal to its owner, the animal care facility shall release the animal upon receipt from the owner of all redemption fees as described in Section [5-14](#), below. If the owner does not pay the redemption fees within five (5) days of the magistrate's order, the animal shall become the property of the Animal Care Department and may be placed for adoption or euthanized. The court, in determining whether the owner is able to adequately provide for the animal or is a fit person to own the animal, may take into consideration, among other things, the owner's past record of convictions under this chapter, or one similar thereto, and the owner's mental and physical condition.

(b) Nothing in this section shall be construed to prohibit the euthanization of a critically injured or ill animal for humane purposes.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § IX, 2-7-12)

Sec. 5-13. Impounding.

(a) Any animal found within the unincorporated area of the county in violation of the provisions of this chapter may be caught and impounded by county authorities. If an animal cannot be caught in a safe, efficient manner, animal care personnel may tranquilize the animal by use of a tranquilizer gun. The Animal Care Department may, thereafter, make available for adoption or humanely destroy impounded animals not redeemed within five (5) days. Animals impounded at the animal care facility, which are deemed by the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian, to constitute a danger to other animals or persons at the facility, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

(b) When a person arrested is, at the time of the arrest, in charge of an animal, the county Animal Care Department may take charge of the animal and deposit the animal in a safe place of custody or impound the animal at its animal care facility.

(c) The county may transfer title of all animals held at its animal care facility after the legal detention period has expired and its owner has not claimed the animal.

(d) A positively identifiable animal is one which bears or wears a legible and traceable current permanent number, county license tag or rabies vaccination tag pursuant to Section [5-2](#); or traceable number, tattoo or microchip pursuant to S.C. Code § 47-3-510 (Supp. 1999).

The owner of a positively identifiable impounded animal shall be notified at the owner's last known address by registered mail if attempts by telephone are not successful. The owner has 14 days from the date of mailing to contact the animal care facility for pick-up. Redemption costs will include the cost of mailing, any established costs, fines, fees or other charges. If the owner does not make contact within 14 days of the date of the mailing, the animal will be deemed abandoned and becomes the property of the animal care facility. For animals impounded at the animal care facility, the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian, shall either place the animal for adoption or have the animal humanely destroyed, pursuant to S. C. Code § 47-3-540 (Supp. 1999).


Notwithstanding the above, animals impounded at the animal care facility, which are deemed by the Superintendent of Animal Services, or his/her designee in agreement with a licensed veterinarian to constitute a danger to other animals or persons at the facility, or which are infectious to other animals, in pain or near death may be humanely destroyed.

(e) Any animal found "at large" may be impounded by the Animal Care Officer and may not be redeemed by its owner unless such redemption is authorized by the county Animal Care Department, with assurance from the owner that proper care and custody will be maintained.

(f) Any animal surrendered to the Animal Care Department or animal care facility may be adopted or euthanized at any time provided there is a completed and signed surrender form on file for the animal concerned.

(g) It shall be unlawful for any person to furnish false information on the animal surrender form.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § X, 2-7-12)

 Sec. 5-14. Redemption.

(a) The owner or keeper of any pet that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet at any time within the legal detention period outlined in Section [5-13](#) upon payment of a fee as follows:


(1) For a pet that has been properly inoculated, licenced, microchipped, and neutered or spayed, the fee shall be \$10.00.

(2) For other pets the fee shall be \$10.00 plus the appropriate license fee, the charge for rabies inoculation, the cost of microchipping the pet, and the cost of spaying or neutering the pet. No fertile pet shall be redeemed or adopted unless one of the criteria under the exceptions provisions in subsections [5-3\(a\)\(1\)](#) - (3) has been met. No pet will be released without proof of inoculation and without an implanted microchip. The requirements of spaying or neutering shall not be waived under the exceptions in subsections [5-3\(a\)\(1\)](#) - (3) when the animal has been impounded a second time for any violations of Sections [5-4](#); [5-5](#); [5-6](#); [5-8](#); [5-9](#); [5-10](#); [5-11](#); [5-12](#) or [5-13](#).

(b) In addition to the redemption fee, an impound fee of \$20.00 and ~~a board fee of \$6.00 per day per pet shall be paid by the owner or keeper when a pet is redeemed~~ payment of all expenses incurred related to the care and custody of the animal which include but are not limited to: boarding, food, medical, transportation, and dental treatment.

(c) The fees set out in this section shall be doubled for any pet impounded twice or more within the same 12-month period.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § XI, 2-7-12)


 Sec. 5-15. Adoption.

(a) Any animal impounded under the provisions of this chapter may at the end of the legal detention period be adopted provided the new owner will agree to comply with the provisions contained herein.

(b) Any pet surrendered to the Animal Care Department or animal care facility may be adopted at any time provided there is a completed and signed surrender form on file for the animal concerned.

(c) Those individuals adopting puppies or kittens too young to be neutered or spayed or receive rabies inoculations will pay the cost of these procedures at the time of adoption and be given an appointment for a later time to have these procedures accomplished. In the event the animal is deceased prior to the appointment date, the applicable portion of the adoption fee will be returned.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § XII, 2-7-12)

 Sec. 5-16. Prohibited; exceptions.

(a) Except as provided in subsection [5-16\(d\)](#), it shall be unlawful for any person to sell, own, keep, harbor, or act as custodian of a:

- (1) a. Nondomestic member of the family felidae;
- b. Wolf-dog hybrid containing any percentage of wolf;
- c. Badger, wolverine, weasel, skunk and mink;
- d. Raccoon;
- e. Bear;
- f. Nonhuman primate to include ape, monkey, baboon, macaque, lemur;
- g. Marmoset, tamarin and other species of the order primates;
- h. Bat;
- i. Alligator, crocodile and caiman;
- j. Scorpion;
- k. Constricting snake of the following species: reticulated python, python reticulatus; Burmese/Indian rock python, python molurus; rock python, python sebae, and anaconda, eunectes murinus;
 - l. Venomous reptile; or
 - m. Lizard over two feet which are members of the family varanidae.

(b) It shall be unlawful for any person to own, keep, harbor, act as custodian of, expose to public view or contact, exhibit either gratuitously or for a fee, any wild or feral animals identified in this subsection, or any animal of mixed domestication and feral lineage within the unincorporated areas of the county on public or private property, except as provided in subsection [5-16\(d\)](#).

(1) Any Richland County resident, who prior to the effective date of this ordinance, had pre-existing ownership or possession of any animal prohibited under this section shall have 180 days to comply. This 180 day period shall begin concurrent with the effective date of this ordinance.

(c) Wild or feral animal means:

(1) Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;

(2) Any non-domesticated member of the order Carnivora;

(3) The following animals which shall be deemed to be wild or feral animals per se:

- a. All nondomestic members of the family felidae;
- b. Wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes;
- c. Badgers, wolverines, weasels, skunks and mink;
- d. Raccoons;
- e. Bears;
- f. Nonhuman primates to include apes, monkeys, baboons, macaques, lemurs, marmosets, tamarins and other species of the order primates;
- g. Bats;
- h. Alligators, crocodiles and caimans;
- i. Scorpion;
- j. Any snakes or venomous reptile; or
- k. Lizards over two feet which are members of the family varanidae;

(d) The prohibition contained in subsections (a), (b) and (c) above, shall not apply to the keeping of wild or feral animals in the following circumstances:

(1) The keeping of wild or feral animals in a public zoo, bona fide education or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study.

(2) The keeping of wild or feral animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show, properly licensed and permitted by state and local law.

(3) The keeping of wild or feral animals in a bona fide, licensed veterinary hospital for treatment.

(4) The keeping of wild or feral animals by a wildlife rescue organization with appropriate permits from any state or local regulatory body.

(Ord. No. 005-12HR, § XIII, 2-7-12)

📖 Sec. 5-17. Interference with animal care officers.

It shall be unlawful for any person to interfere with, hinder, or molest an Animal Care Officer [and or Richland County Sheriff's Deputies](#) in the performance of his or her duty or seek to release any [pet-animal](#) in his/her custody without his/her consent.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § XIII, 2-7-12)

📖 Sec. 5-18. Complainant's identification to remain confidential.

The identity, or information tending to reveal the identity, of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation of this chapter, shall remain confidential to the agency receiving the report unless the complainant authorizes the release of his or her identity.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § XIV, 2-7-12)

📖 Sec. 5-19. Penalties.

(a) Any person who violates the provisions of this Chapter shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both. Each day's continuing violation shall constitute a separate and distinct offense.

(b) The owner or person having charge or custody of an animal cruelly used who is convicted of any violation of this chapter forfeits ownership, charge, or custody of the animal and at the discretion of the court, the person who is charged with or convicted of a violation of this chapter must be ordered to pay costs incurred to care for the animal and related expenses.

(Ord. No. 066-04HR, § I, 10-28-04; Ord. No. 005-12HR, § XVI, 2-7-12)