



**ORDINANCE NO. 2025-XX**

**AN ORDINANCE AMENDING, RESTATING, STRIKING AND REPLACING  
CHAPTER 12 OF THE CITY CODE – ANIMAL CONTROL.**

**WHEREAS**, the City Council (“Council”) of the City of Orangeburg (“City”) finds:

- (a) The Council is authorized and empowered to provide for its internal operation according to South Carolina Constitution Article VIII, section 17, and the Home Rule Act of 1975;
- (b) Chapter 12. Animal Control of the Code of Ordinances: City of Orangeburg (“City Code”) provides for the regulation of domestic and wild animals (“Animal Control Regulations”); and
- (c) The Council desires to update, revise, and modernize City’s Animal Control Regulations to better protect and preserve the health and safety of the citizens and residents of the City;

**NOW, THEREFORE**, the Council ordains that Chapter 12. Animal Control be stricken its entirety and replaced by everything between the “\*” to be enacted and codified in the City Code as described in this Ordinance:

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**ANIMALS**

**ARTICLE I.  
IN GENERAL**

**Sec. 12-1. Keeping exotic animals in city prohibited;**

No person shall bring or maintain an exotic creature within the city limits. Exotic creatures refer to the following animals:

- a) General description. Any wild, feral, non-domestic, venomous, etc. type of animal that, by reason of inherent, natural propensities of the type of creature, poses a threat of serious bodily injury to a human. The test for whether a carnivore poses such a threat is not a subjective test as to the particular creature or the particular circumstance but is an objective test that is stated as follows: a reasonable person would conclude that the creature poses a threat of serious bodily injury to a human if a human is confined with the type of creature and the creature is unrestrained.
- b) Exotic creatures is a category that includes, but is not limited to the following: bears, wolves, coyotes, jackals, and canine hybrids of same; crocodiles, alligators, and similar carnivores; monitors; venomous reptiles; scorpions; those types of snakes that fit the foregoing general description of exotic creature including, but not limited to, constricting snake of the following species: reticulated python, python reticulatus; Burmese/Indian rock python, python molurus; rock python, python sebae, and anaconda, Eunectes murinus; and those creatures which, when in captivity in the United States, have traditionally been confined in zoos.

- c) Large wild cat, non-native bear and great ape means one of the following types of animals of the order Carnivora or Primate, and any hybrids of these animals:
  1. Family Felidae, Genus Panthera. All lions, tigers, leopards, jaguars, cougars, cheetahs, snow leopards, and clouded leopards.
  2. Family Ursidae. All bears that are not native to South Carolina and not subject to oversight by the South Carolina Department of Natural Resources; and
  3. Family Hominidae. All great apes, including all species of chimpanzees, gorillas, and orangutans.
- d) Creatures traditionally associated with agriculture in the United States shall not be considered exotic creatures.

**Sec. 12-2. Female cats in heat to be confined.**

Every female cat in heat shall be kept confined in a building or secure enclosure, or in a veterinary hospital or boarding kennel, in such manner that such female cat cannot come in contact with another animal, except for breeding purposes.

**Sec. 12-3. Killing, trapping, or molesting birds prohibited; exception.**

It shall be unlawful to trap, hunt or attempt to shoot or molest in any manner any bird or to rob any bird nest within the city; provided, however, it shall be lawful to destroy starlings, jays, English sparrows or similar birds or fowl when such birds or fowl constitute a nuisance or a menace to health or property.

**Sec. 12-4. Pigeons prohibited at large.**

It shall be unlawful for any person owning, keeping, or controlling any flock of pigeons, to permit the pigeons to fly at large; however, it shall be lawful to keep and allow to fly racing pigeons upon the issuance of a permit by the City of Orangeburg Department of Public Safety. It shall be the duty of the owner, keeper, or controller to keep the loft, barn, house, or enclosure in which the pigeons may be kept in such a state of repair as to prevent the escape of pigeons therefrom.

**Sec. 12-5. Keeping traditional agricultural animals; permission required.**

It shall be unlawful for any person to keep, maintain or house any cow, horse, mule, goat, hog or other swine, commercial dog breeding facilities or fowl within the city without first applying to the City of Orangeburg Department of Public Safety and obtaining from the City of Orangeburg Department of Public Safety special permission to keep, maintain or house the cow, horse, mule, goat, hog or other swine, or dog kennel at the place. In considering and passing upon the question of granting such permission, regard shall be had by the City of Orangeburg Department of Public Safety as to how the same shall be kept or housed; to the presence or absence of densely populated residential neighborhood and the proximity of the animals to any house occupied as a dwelling, or in which people reside; to the proximity of the locality proposed to churches, schools, hospitals or other institutions and public places; to the matter of sanitation from the standpoint of the public generally and in accordance with the regulations of the City of Orangeburg Department of Public Safety after proper inspection and report by officials of the City of Orangeburg Department of Public Safety; and to the general security, welfare, convenience, health, peace, order and good government of the city.

**Sec. 12-6. Basic Necessities.**

- a) It shall be unlawful for an owner to fail to provide his or her animal(s) with sufficient 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 and dogfight or other combat between animals or between animals and humans.

- c) Any person violating any provision of this article shall be deemed guilty of a misdemeanor offense and shall be subject to the penalties outlined in City Code section 1-11.1. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for penalties, and costs provided for this article.

**Sec. 12-7. 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 and the unauthorized disposal of dead animal. In addition, if a department of the city disposes of a dead animal, the animal's most recent keeper shall be required to pay the city a reasonable fee to cover the administration and disposal costs.

**Sec. 12-8. Lots on which animals kept to be maintained in sanitary condition.**

It shall be unlawful for any person in control of a lot upon which cows, horses, or other animals are customarily enclosed to permit the same to be in a foul, offensive, noisome, or unsanitary condition.

**Sec. 12-9. Animals or fowl running at large; penalty.**

It shall be unlawful for any person to allow animals or fowl to run at large on any of the streets or ways of the city, and the owner or person having the charge or management of the animal or fowl offending shall forfeit and pay to the city such fine as may be imposed by municipal court. The definitions contained in section 12-41 shall apply to this section.

**Sec. 12-10. Cruelty to animals prohibited.**

It shall be unlawful for any person to overload, overdrive, overwork, torture, torment, wantonly beat, bruise, or cut, or to work when in unfit condition, or in any other way inflict unnecessary pain or suffering upon any animal, or to repeatedly fail to provide basic necessities for the same within the city, whether such persons be the owners thereof, or have only the temporary charge and custody of the same, by omission or commission knowingly or intentionally cause these acts to be done.

**Sec. 12-11. Chickens.**

Chickens may be allowed in a residential area subject to the following conditions and restrictions:

- a) No more than four (4) chickens may be allowed on any residential lot in the town, regardless of the size of the lot. Roosters shall not be allowed on residential lots within the city under any circumstances.
- b) Chickens shall be located in the rear yard only, and the resident must provide proper disposal of sanitary waste and pest control. Any structures shall be constructed subject to satisfaction of the Code Enforcement Officer and the Animal Control Officer.
- c) All structures to house chickens shall be at least twenty-five feet (25') from any property line. This distance may be reduced to ten feet (10'), however, if an application is accompanied by a letter from adjacent property owners, and as long as proper screening as determined by the approving authority is provided.

**Sec. 12-12. Abandonment.**

- a) No animal shall be kept on a property that the owner or custodian does not occupy on a permanent basis. Commercial pet care businesses and animal rescues are excluded. A hunting dog that is positively identifiable is exempt from this section.

- b) A person may not abandon an animal. As used in this section "abandonment" is defined as deserting, forsaking, or intending to give up an animal absolutely without securing another owner or without providing the basic necessities of life.

**Sec. 12-13. Unlawful Tethering.**

A person commits the offense of unlawful tethering if the person tethers a domestic animal in the person's custody or control:

- a) With a tether less than fifteen feet in length; or
- b) In a manner that will permit the animal to become entangled with other objects or other animals; or
- c) With a logging or tow chain; or
- d) With a pinch, prong, or choke collar.

**Secs. 12-14.- 12-40. Reserved.**

**ARTICLE II.  
DOGS AND OTHER ANIMALS**

**Sec. 12-41. Definitions.**

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

*Adequate Food and Water* means adequate food provided at suitable intervals of quantities of wholesome foodstuff suitable for the species and age, sufficient to maintain a reasonable level of nutrition to allow for proper growth and weight and adequate water provided with constant access to a supply of clean, fresh, and potable water provided in a suitable manner for the species.

*Adequate Shelter* means shelter that reasonably may be expected to protect the animal from physical suffering or impairment of health due to exposure to the elements or adverse weather.

*Animal* means a living vertebrate creature except for homo sapiens, domestic, or wild.

*Animal Officer* means any person whose primary duty is to enforce the provisions of this chapter.

*At Large Animal* means any animal when he is off the property of his owner and not under the control of a competent person.

*Basic Necessities* means food, adequate water, proper shelter (including Stables) from exposure to the elements or adverse weather, grooming and medication in sufficient quantity and quality to meet the relevant animal's health needs. Basic necessities include those items defined in S.C. Code section 47-1-70 as "Necessities of life."

*Dangerous Animal* For the purpose of this section a dangerous animal is but not limited to;

- a) An animal that has been deemed DANGEROUS by a court proceeding; or
- b) An animal that has shown the ability, potential, and drive to bite, harasses or attack unprovoked. And cause bodily injury to a human being; or
- c) An animal that has shown the ability, potential, and drive to bite, harasses or attack unprovoked. And cause injury to domesticated animals; or
- d) An animal that has been trained for the purpose of fighting.
- e) No Dangerous Animal may be considered a service dog. A Dangerous Animal is NOT a properly trained guard dog, an animal owned by a licensed security company that is on patrol in a confined area, police K-9, or properly trained service animal.
- f) An animal shall not be deemed dangerous if:
  1. It bites, attacks or menaces:

- i. Anyone assaulting the owner;
    - ii. A trespasser on the property of the owner; or
    - iii. Any person or other animal who has tormented or abused it;
  - 2. It is otherwise acting in defense of an attack from a person or other animal upon the owner or other person; or
  - 3. It is protecting or defending its young or another animal.
- g) An animal is not considered a dangerous animal solely by virtue of its size or breed.

*Dog* means dogs of either sex, and includes all members of the canine family, including foxes and other such canines.

*Impounded* means the active receiving into custody by the animal officer of any animal for confinement within the city animal kennel.

*Inoculate* means the administration of SCDPH approved rabies vaccine by licensed veterinarians, or other persons authorized by SCDPH.

*Fowl* means a bird of any kind.

*Keeper* means any person who has a right of property in an animal; or keeps or harbors an animal; or has an animal in his/her care; or acts as an animal's custodian, such as providing it with any of the basic necessities; or permits an animal to remain on or about premises the keeper occupies. Keeper shall include the owner of an animal. Keeper shall not include an ACO or any person acting within his/her duties regarding the animal at the animal shelter.

*Restraint* means any animal which is controlled by a leash, at heel, or beside a competent person and obedient to that person's commands, on or within a vehicle being driven or parked on the streets, or within the property limits of its owner.

*SCDPH* means the South Carolina Department of Public Health.

*Vicious Animal* For the purpose of this section a dangerous animal is but not limited to;

- a) An animal which the owner knows or reasonably should know has a propensity, tendency, or disposition to attack unprovoked, cause injury, or otherwise endanger the safety of human beings or domestic animals; or
- b) Makes an unprovoked attack that causes bodily injury to a human being and the attack occurs in a place other than the place where the animal is confined; or
- c) Commits unprovoked acts in a place other than the place where the animal is confined as required and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being; or
- d) Commits more than one unprovoked attack that injures or kills another animal and the attack occurs in a place other than the place where the animal is confined; or
- e) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.
- f) Does not include:
  - 1. An animal used exclusively for agricultural purposes.
  - 2. An animal which attacks a person who is trespassing or who appears to be trespassing. A trespasser is a person who is not lawfully upon the premises of the owner, as set forth in S.C. Code 47-3-770(A), incorporated herein.
- g) As used herein, injury or bodily injury means broken bones, lacerations, punctures of the skin, or any physical injury resulting in death.

**Sec. 12-42. Animals running at large; Impoundment.**

- a) It shall be unlawful for the owner or keeper of any animal to willfully or negligently permit any such animal to run at large beyond the limits of his or her own land or the lands leased, occupied, or controlled by him or her.
- b) It is unlawful pursuant to the provisions herein for any animal to
  1. Keep a dangerous, vicious, or unruly dog unless under restraint, as defined herein under this section, so that the dog cannot reach persons not on land owned, leased, or controlled by him or her; or
  2. Release or take out of impoundments or quarantine without proper authority any animal or resist any authorized personnel engaging in the capture and impoundments or quarantine of any animal; or
  3. For any animal in heat not to be confined in a building or secure enclosure, or in a veterinary hospital or commercial pet care business, in such a manner that the female animal cannot come in contact with another animal, except for breeding purposes.
- c) Whenever any domestic animal shall be found upon the lands of any person other than the owner or manager of the animal, the owner of the trespassing animal shall be liable for all damages sustained and for the expenses of seizure and maintenance. The damages and expenses shall be recovered, when necessary, by action in any court of competent jurisdiction, and the keeper of the trespassing animal shall be held liable for the damages and expenses, in preference to all other liens, claims or encumbrances upon it.
- d) Any freeholder or tenant of land, his or her agent or representative, may seize and hold possession of any animal which may be trespassing upon his or her premises, and immediately contact the City of Orangeburg Animal Control Officer.
- e) Compensation for the seizure may demand of the owner of every such animal, just damages for injuries sustained. The claim shall, when possible, be laid before the keeper of the trespassing animal within 48 hours after seizure of the animal or, in case the claim shall not be amicably or legally adjusted and the trespassing animal is recovered by the keeper within 12 hours after the receipt of the notification, the keeper shall further become liable in a sum sufficient to cover the maintenance and care of his or her animal up to the time of its removal, but the keeper shall be entitled to recover immediate possession of his or her animal on due execution of the bond to cover expenses and claimed damages as any magistrate shall decide to be good and sufficient.
- f) In any criminal prosecution for violation of the provisions of this section the defendant may plead, as a matter of defense, the full satisfaction of all reasonable demands of the party or parties aggrieved by the violation, and upon such plea being established and upon payment of all costs accrued up to the time of the plea he or she shall be discharged from further penalty.
- g) Any animal found to be running at large may be captured, confined and/or impounded by an animal control officer and held in an animal shelter for a minimum period of five days. Any expenses accrued during capture of such animal will be reimbursed by the keeper. Example: any tranquilizer, dart, or sedative. This expense will not exceed \$50.00. This expense will not be transferred to an adopted owner or rescue. If the animal is not reclaimed by the keeper as provided in this chapter, the animal may be humanely euthanized, adopted to a new owner, or sent to a rescue.
- h) Any Animal observed by an animal control officer to be running at large and subsequently returning to the keeper's property when the keeper is absent or away from the property may be removed from the keeper's property and impounded if the animal control officer has reasonable cause to believe that the animal is running at large in violation of the provisions of this chapter and the animal will present a danger to itself, persons, or other animals or be prejudicial to the safety of the public if the animal is left unrestrained.
- i) In the case of an impoundment of an animal under the provisions of this section, the animal control officer shall provide posted written notice upon the property in issue setting forth the date and time of impoundment and the procedures to follow in order to retrieve the owner's animal.
- j) Animal Control is authorized to hold identifiable animals and dispose of them if the owner fails to claim them. Animal Control must not euthanize any positively identifiable animal until they have notified the owner at his or her last known address by certified mail that officers have the animal in their possession. The owner must notify the animal shelter within two weeks after receipt of the certified letter than the owner will reclaim the animal. If the owner does not reclaim the animal within two weeks of notification, the animal may be offered for adoption, given to an animal rescue, or euthanized in a humane manner. Reasonable costs associated with the above extended holding period, including cost of mailing the required notice, must be paid before the animal is returned to its owner, or the owner's designee, in addition to any other established costs, fines, fees, or other charges.

- k) Dogs that are participating in or training for hunting events, obedience trials, conformation shows, tracking tests, herding trials, terrier trials, or lure courses under the direct control of their owner shall not be considered animals at-large.
- l) Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be liable to the penalty stated in City Code section 1-11.1.

**Sec. 12-43. Dogs biting persons to be quarantined for observation.**

Any dog which bites any person shall be quarantined for a period of ten days for observation and the owner of such dog shall be guilty of a misdemeanor for permitting his dog to run at large in the corporate limits.

**Sec. 12-44. Certain animals to be confined.**

*Fierce or dangerous animals.* The owner shall confine within a building or secure enclosure every fierce, dangerous, or vicious animal, and not take such animal out of such building or secure enclosure unless such animal is securely restrained.

**Sec. 12-45. Vicious animals.**

- a) Owning or harboring animal for fighting or attacking humans or domestic animals is prohibited, selling, breeding, buying, or attempting to buy, or intent to do same is prohibited.
- b) No person may own or harbor an animal for the purpose of fighting, or train, torment, badger, bait, or use an animal for the purpose of causing or encouraging the animal to unprovoked attacks upon human beings or domestic animals.
- c) No person may possess with intent to sell, offer for sale, breed, or buy or attempt to buy a known dangerous animal, however this section does not apply to a person who is licensed to possess and breed an animal under the classifications specified and regulated by the United States Department of Agriculture under the Animal Welfare Act as codified in U.S.C. Title 7.

**Sec. 12-46. Dangerous Animals.**

Restraint and confinement. The owner shall confine, within a building or secure enclosure, any dangerous animal and shall not take the animal out of the building or enclosure unless the animal is securely and under restraint, or under the physical control of its owner/keeper. No person owning or harboring or having the care- or the custody of a dangerous animal may permit the animal to go unconfined on the premises of the owner or keeper. A dangerous animal is unconfined as used in this section if the animal is not confined securely indoors or confined in a securely enclosed fence or securely enclosed and locked pen or run area upon the person's premises. The pen or run area must be clearly marked as containing a dangerous animal and must be designed to prevent the entry of the general public, including children, and to prevent the escape or release of the animal. Any person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction thereof, shall be liable to the penalty stated in Section 1-11.

**Sec. 12-47. Seizure of Vicious or Dangerous Animals; Impoundment**

- (a) Any animal previously known to be vicious or dangerous found running at large within the corporate limits of the city shall be subject to seizure by any city official.
- (b) Upon such seizure, the vicious or dangerous animal shall be impounded for no less than five days and thereafter, if not reclaimed by the owner or custodian as herein provided below, humanely destroyed.
- (c) Any official of the city attempting to seize such vicious or dangerous animal engaged in attacking any person, or animal, within the city limits is hereby empowered, in the interest of the public safety, when necessary to prevent the escape of the vicious or dangerous animal or the infliction of injury upon a person or animal by the animal, to summarily execute the vicious or dangerous animal.
- (d) If a law enforcement agent, animal control officer, or animal control officer under contract with the municipal government to provide animal control services has probable cause to believe that a dangerous

animal is being harbored or cared for in violation of S.C. Code Sec. 47-3-720, 47-3-740, or 47-3-760, the agent or officer may petition the court having jurisdiction to order the seizure and impoundment of the dangerous animal while the trial is pending.

- (e) No person under the age of 18 years shall be permitted to own, harbor, or handle a vicious animal.
- (f) No person may possess with intent to sell offer for sale, breed, or buy or attempt to buy a known vicious animal, however this division does not apply to a person who is licensed to possess and breed an animal under the classifications specified and regulated by the United States Department of Agriculture under the Animal Welfare Act as codified in U.S.C. Title 7. Any Officer or Animal Control officer can apply for a hearing with the Orangeburg Municipal Court to determine if an animal is to be determined a vicious animal. The owner or keeper of the animal in which the trial is being held for either must appear at trial or had a certified letter notifying of the court date and informed that the court date is mandatory. An officer or animal control officer advising the owner/keeper of the court date, time and mandatory appearance is also acceptable. If the judge finds an animal to be a vicious animal the animal shall be deemed a vicious animal. Determining factors to deem an animal as a vicious animal are as follows but not limited to severity of bite, mauling, number of bites, previous unprovoked attacks. Factors that should not be considered are as follows but not limited to:
  - 1. Breed of the animal;
  - 2. If the animal is defending its owner/keeper; or
  - 3. If the person bitten was trespassing at the time of the bite.
- (g) If it is determined that the animal is a Dangerous Animal, it can be ordered by the trial officer to destroy the Dangerous Animal. If ordered the destruction order will be carried out by Animal Control. The Officer by Certified mail shall provide notice of the court's determination that an animal is a Dangerous Animal to the animal's keeper or owner if the owner/keeper does not appear in court. The courts notice shall include the owners/keeper's duty to register the animal as a Dangerous Animal with the department. The records for Dangerous Animal will be kept and maintained by the city's Animal Control office and can be kept digitally. If an animal is deemed a Dangerous Animal by the trial officer, or if the animal is ordered destroyed the owner/keeper will be responsible for applicable fees.

#### **Sec. 12-48. Seizure of Animals; Procedures.**

- a) The following animals are subject to seizure:
  - 1. An animal that has been subjected to cruelty or inhumane treatment,
  - 2. An animal injured or without proper care,
  - 3. An animal needed to be quarantined and owner refuses cooperation,
  - 4. An animal that has been determined to have been abandoned,
  - 5. An animal that is at large without rabies inoculation tag or proof of vaccination.
- b) Any animal impounded by the city shall be detained for a period of two weeks for redemption by the owner. If such animal is not redeemed by the owner within such period of two weeks, the animal may be offered for adoption, given to an animal rescue, or euthanized in a humane manner. All animals impounded by the City of Orangeburg will be checked for an identifying microchip. Also, if the name and address of the owner appears on the collar of any animal; in all cases, the city shall attempt to notify such owner in person or by mail within two days of the time the animal was seized.
- c) Any domesticated animal seized by the City of Orangeburg officials, the owner/keeper will be responsible for all fees associated with the capture, control, and housing of the animal.
- d) Any livestock seized by the City of Orangeburg officials the owner/keeper will be responsible for all fees associated with the capture,

#### **Sec. 12-49. Nuisance Animals.**

- a) It shall be unlawful for any person to keep any animal that is a public nuisance as defined in this chapter upon their premises or on the premises of another.
- b) A person who is the owner/keeper of an animal shall not permit that animal to unreasonably annoy humans, endanger the life or health of other animals or persons, or substantially interfere with the rights of citizens, other than their owners, to the enjoyment of life or property.

- c) A nuisance animal shall mean and include, but not be limited to, any animal that
  - 1. Damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; or
  - 2. Causes unsanitary or offensive conditions; or
  - 3. Chases vehicles, molests, intimidates, attacks, or interferes with persons or other domestic animals on public or private property; or
  - 4. Is repeatedly found at large; or
  - 5. Damages the property of anyone other than its owner; or
  - 6. Makes disturbing noises, including, but not limited to, barking, howling, whining or other
  - 7. utterances causing reasonable annoyance, disturbance, or discomfort to neighbors or others in
  - 8. close proximity to the premises where the animal is kept or harbored.
- d) The offense of Nuisance Animal will also be in accumulated offenses in a 12-month time frame.
  - 1. Nuisance Animal 1st offense 155.00;
  - 2. Nuisance Animal 2nd offense 255.00;
  - 3. Nuisance Animal 3rd and subsequent offense 355.00.
- e) Any City official personally hear the barking nuisance dog can bring forth the citation at their discretion; or if a violation of this section is not witnessed by a City of Orangeburg Official the complainant must provide on a barking dog complaint form, the dog owner's address; description of the dog; and the dates and duration of the violation. Upon receipt of the complainant's information and investigation, the animal control officer may issue a warning notice to the owner of the dog and the dog owner will be allowed three days from issuance of the warning notice to correct the problem before being charged under this section.
- f) After the issuance of the warning notice and the three-day grace period, a citation may be issued if the complainant is willing to testify at trial as to the persistent, habitual, and offensive noise generated by the barking dog.
- g) A dog owner shall be deemed to have received and been issued a warning under this section if the warning was personally served on the dog owner; posted on the residence where the dog is located; or sent to the residence where the dog is located by certified mail.
- h) If a second complaint of the dog barking is received within 45 days of issuance of the first citation, a citation may be issued without issuing a warning notice.
- i) It shall be a defense to such violation of this section if the owner of the dog proves by preponderance of the evidence that the reason the dog was howling, or barking was that the dog was being provoked by a person through such activity as entering the property or badgering or teasing the dog.
- j) It shall be unlawful for any person to collect animals. Bona fide animal rescue groups are exempt. Collecting animals shall include:
  - 1. Collecting animals and failing to provide them the humane or adequate care; or
  - 2. Collecting dead animals without proper disposal, Taxidermist excluded; or
  - 3. Collecting, Housing, or Harboring animals in filthy, unsanitary conditions that constitute a health hazard to the animal being kept or to the animal or residents of adjacent property.
- k) The breeding of any animal for financial gain, regardless of the number of breeding animals, shall require a city business license.

#### **Sec. 12-50. Trapping of Nuisance Animals.**

The owner of property on which feral nuisance animals are present may request a live trap from animal control in which to trap and remove the nuisance animal. The live trap must be inspected at minimum once every 12 hours by the person who requested the trap and animal control, or the Department of Public Safety contacted immediately upon the trapping of the animal. At no time may a trapped animal remain in a live trap for more than six hours and the trapped animal may not be left in an inhumane condition or position such as adverse weather conditions or where it cannot defend itself from dangerous animals. Traps will not be placed when the animal control officer will be unavailable to pick it up the next day, i.e., weekends, holidays and when the animal control officer will be off duty.

#### **Sec. 12-51. Feeding of Feral Animals.**

It shall be unlawful for any person to feed or provide food for any animal that is feral, domesticated, or undomesticated that is not in their care. Bona fide animal rescue groups that are attempting to catch the animal for placement are exempt.

- a) Whoever violates any provision of this chapter for which no penalty is otherwise provided, shall be fined not more than one thousand dollars (\$1000.00), or imprisoned for not more than thirty (30) days. However, no penalty shall exceed the penalty provided by state law for similar offenses.
- b) A separate offense shall be deemed committed on each day that a violation occurs or continues.

**Secs. 12-52.- 12-75. Reserved.**

### **ARTICLE III.**

#### **Display of Rabies Inoculation Tag, Licenses and Rabies Control**

**Sec. 12-76. Display of Rabies Inoculation Tag and Licenses.**

- a) Every owner of a dog or cat shall have the animal inoculated against rabies and require the animal to wear a rabies vaccination tag on a collar or harness.
- b) A SCDPH certificate of animal rabies vaccination will be issued by a licensed veterinarian for each animal stating the name and address of owner, the name, breed, color and markings, age, and sex of the animal and the veterinary or pharmaceutical control number of the vaccination. One copy of the certificate shall be given to the owner, and one copy shall be retained by the person administering the vaccine.
- c) With the issuance of the certificate, the veterinarian shall also furnish the owner with a serial numbered metal rabies vaccination tag bearing the same number and year as the certificate. The metal rabies vaccination tag shall bear the name of the veterinarian who administered the vaccination.
- d) The rabies vaccination tag issued by the veterinarian shall at all times be attached to a collar or harness worn by the animal for which it was issued and any animal not having a proper rabies inoculation license tag attached may be subject to impoundment.
- e) The owner shall have a valid certificate of rabies immunization readily available for inspection by competent authority.
- f) In the event that a rabies vaccination tag is lost, the owner will obtain a duplicate tag without delay.
- g) A certificate of rabies immunization issued by a licensed veterinarian from another state will be accepted as valid evidence of inoculation provided it is less than one year old.

**Sec. 12-77. Rabies Control.**

- a) Whenever a dog or cat is affected by rabies or suspected of being affected by rabies or has been bitten by an animal known or suspected to be infected with rabies, the owner or keeper of the dog or cat or any person having knowledge thereof shall forthwith notify the animal control officer and the SCDPH stating precisely where the animal may be found.
- b) It is unlawful for any person to own or have in possession any dog or other domesticated species of carnivore which has not been inoculated against rabies within the preceding twelve (12) months by a licensed veterinarian.
- c) The animal control officer shall immediately inform the SCDPH upon receipt of any information concerning an animal bite or a possible animal bite.
- d) The animal control officer, in conjunction with the SCDPH, shall arrange for the supervised confinement of any dog or cat which has bitten a person. The confinement may be on the premises of the owner if the owner will sign a SCDPH agreement assuming total responsibility for the safe confinement of the pet or other animal or the confinement may be at the county animal shelter with the current impoundment and boarding fees charged, or the dog or cat may be confined at a private animal shelter or a veterinary hospital at the owner's expense.
- e) Any dog or cat which has bitten a person must be confined for a period of at least ten days. The SCDPH or the animal control officer shall be permitted by the owner or keeper of the dog or cat to examine the same at any; time and daily if desired within the ten-day period of confinement to determine whether the

animal shows symptoms of rabies. No person shall obstruct or interfere with the animal control officer or the SCDPH in making the examination.

- f) In the case of an animal other than a dog or cat which has scratched or bitten a person, the SCDPH shall serve notice upon the owner of that animal that the owner shall have the animal euthanized immediately and have the brain submitted for rabies examination.
- g) The SCDPH shall serve notice in writing upon the owner of a dog, cat or other animal known to have been bitten by an animal known or suspected of being affected by rabies requiring the owner to confine the animal for a period of not less than six months except those animals properly treated with anti-rabies vaccine shall be confined for a period of not less than three months.
- h) No person shall kill, or cause to be killed any dog, cat, or other-animal, that-is suspected of having been exposed to rabies or which has bitten a person, nor remove the animal from the jurisdiction of the city without written permission of SCDPH. An exception to the preceding requirement is in any circumstance in which there exists the possibility of the animal escaping or being involved in an additional biting incident in which case the animal is to be killed and the SCDPH notified immediately.

**Sec. 12-78. Seizure and impoundment of unlicensed dogs.**

It shall be the duty of the Animal Officer to cause to be seized and impounded any dog at large in the city not bearing a valid tag as herein provided.

**Sec. 12-79. Disposition of impounded animals; notification of owner.**

Any dog so seized and impounded shall be detained for a period of two weeks, and if not claimed or redeemed by the owner or by the person harboring the dog within the two-week period, the dog shall be disposed of in such manner and by such person as the board of health names or designates, provided that, whenever the name of any person appears on the collar of any dog so seized, such person shall forthwith be notified of such seizure in writing by postcard addressed to him or her and deposited in the United States mail. When a dog is found running at large and its owner is known to agents of the city council, such dog may not be impounded, but the agent, in his discretion, may cite the owners of such dogs to appear in court to answer charges of any violation of this chapter.

**Sec. 12-80. Hindering or interfering in enforcement of provisions.**

It shall be unlawful for any person to interfere with, hinder or molest the animal control worker in the performance of his duty or seek to release any pet in his custody without his consent.

**Sec. 12-81. Attaching tag to dogs that are not inoculated; removing tag prohibited.**

No person shall attach a license tag to any dog to which it was not issued or remove a license tag from the collar of any dog without the consent of its owner.

**Sec. 12-82. Authority to promulgate and interpret rules.**

The department of public safety shall have the power to promulgate all rules regarding the inoculation of dogs and to interpret the same.

**Sec. 12-83. Owner to furnish proof of ownership prior to redemption; fee.**

The owner of, or person harboring, a dog which has been seized or impounded shall be entitled to redeem the dog upon establishing his title thereto to the satisfaction of the person designated by the department of public safety to have charge of such animals and, upon paying to the department of public safety, or the person authorized to receive same, a redemption fee in an amount established by the city from time to time and, in addition, the dog shall be inoculated and tagged as herein provided.

**Sec. 12-84. Redemption of impounded animals.**

No animal shall be reclaimed by its owner until the impounding and maintenance fees of ten dollars per day and medical bills, if any, are paid in full to the City of Orangeburg.

**Sec. 12-85. Impoundment records to be kept.**

The animal officer shall be responsible for keeping a record of all animals impounded or taken into possession, showing such information as will determine the identity of the animal, the date of impounding, the fees accrued and the final disposition.

**Secs. 12-86 --- 12-117. Reserved.**

**ARTICLE IV. ANIMAL CONTROL OFFICER**

**Sec. 12-118. Duties of animal control officer.**

The animal control officer shall be responsible for the enforcement of the provisions of this chapter. Additionally, any Orangeburg Department of Public Safety officer or any other person authorized and empowered by the City of Orangeburg may enforce the provisions of this chapter. The Animal control officer shall be in charge of the city animal kennels.

**Sec. 12-119. Interference with animal control officer.**

- a) It shall be unlawful for any person having charge, care, or control of any animal to fail or refuse to permit any officer or person authorized and empowered by the City of Orangeburg to inspect such animal and the premises on which the animal is kept, to determine whether or not this chapter has been complied with.
- b) It shall be unlawful for any person to molest, alter or interfere with in any way any trapping device used by the City of Orangeburg Department of Public Safety Animal Control officer.
- c) It shall be unlawful for any person to commit any act which interferes with the action or duty of any Orangeburg Department of Public Safety officer, or any other person authorized and empowered by the City of Orangeburg, to enforce the provisions of this chapter while the officer is in the discharge of his official duties.

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**Codification.** The City shall codify the contents of this Ordinance in Chapter 12 of the City Code as Section 12-1 through and including Section 12-119, or as otherwise appropriately numbered, of the City Code, online as soon as practicable and in print as part of the City’s next, regular, re-codification.

**Reservation of Code Sections.** Sections 12-14 through and including Section 12-40; Sections 12-52 through and including Section 12-75; and Sections 12-86 through and including Section 12-117 of the City Code remain reserved for future use.

**Reservation to City.** The City reserves the right to repeal or amend this Ordinance, at any time, from time to time, as often as the City, in its sole discretion, deems appropriate.

**Severability.** If any part of this Ordinances is unenforceable for any reason, then the remainder of this Ordinance remains in full force and effect.

ENACTED BY the City Council on November \_\_, 2025, and effective immediately.

[S E A L]

Mayor

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Members of Council

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Attest: \_\_\_\_\_  
City Clerk

First Reading:  
Second Reading:  
Third Reading: