

**EXHIBIT B**  
**FORM OF JOINDER AGREEMENT**

**JOINDER AGREEMENT**

Reference is hereby made to (i) that certain Fee in Lieu of Tax and Incentive Agreement effective February 21, 2023 (“Agreement”), by and among Chester County, South Carolina (“County”); IKO Glass Fiber Inc.; and IKO Mat Tech Inc. (collectively, “Company”).

**1. Joinder to Agreement.** The undersigned hereby (a) joins as a party to, and agrees to be bound by and subject to all of the terms and conditions of, the Agreement; (b) acknowledges and agrees that (i) in accordance the Agreement, the undersigned has been designated as a Sponsor Affiliate by the Company for purposes of the Project and such designation has been consented to by the County in accordance with the Act (as defined in the Agreement); (ii) the undersigned qualifies or will qualify as a Sponsor Affiliate under the Agreement and Section 12-44-30(20) and Section 12-44-130 of the Act; and (iii) the undersigned shall have all of the rights and obligations of a Sponsor Affiliate as set forth in the Agreement.

**2. Capitalized Terms.** All capitalized terms used but not defined in this Joinder Agreement shall have the meanings set forth in the Agreement.

**3. Governing Law.** This Joinder Agreement shall be governed by and construed in accordance with the laws of the State of South Carolina, without regard to principles of choice of law.

**4. Notice.** Notices under Section 9.03 of the Agreement shall be sent to:

[ ]

IN WITNESS WHEREOF, the undersigned has executed this Joinder Agreement to be effective as of the date set forth below.

**[JOINING COMPANY]**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

IN WITNESS WHEREOF, the Company consents to the addition of the above-named entity becoming a Sponsor Affiliate under the Agreement effective as of the date set forth above.

**IKO GLASS FIBER INC.,**  
**a Delaware corporation**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**IKO Mat Tech Inc.,  
a Delaware corporation**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

IN WITNESS WHEREOF, the County consents to the addition of the above-named entity as a Sponsor Affiliate under the Agreement effective as of the date set forth above.

**CHESTER COUNTY, SOUTH CAROLINA**

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

**EXHIBIT C**

**FORM OF ANNUAL SPECIAL SOURCE CREDIT CERTIFICATION**

**ANNUAL SPECIAL SOURCE CREDIT CERTIFICATION**

I \_\_\_\_\_, the \_\_\_\_\_ of IKO Glass Fiber Inc. (“IGF”), do hereby certify in connection and in compliance with Section 3.02(d) of the Fee in Lieu of Tax and Incentive Agreement, effective February 21, 2023 (“Agreement”), by and among Chester County, South Carolina (“County”); IGF; and IKO Mat Tech Inc. (“IMT,” with IGF, collectively, “Company”) (“Agreement”), and South Carolina Code Annotated Sections 4-1-175 and 12-44-70, as follows:

(1) As of the date hereof, the aggregate amount of investment in qualifying infrastructure incurred by the Company and any Sponsor Affiliates during the Investment Period is not less than \$\_\_\_\_\_.

(2) The Special Source Credit for the \_\_\_\_\_ tax year is calculated as follows:

	IGF	IMT
Tax Bill	[\$●]	[\$●]
Special Source Credit Percentage	[●]%	[●]%
Special Source Credit	[\$●]	[\$●]

All capitalized terms used but not defined herein shall have the meaning set forth in the Agreement.

**IN WITNESS WHEREOF**, I have set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Name: \_\_\_\_\_  
Its: \_\_\_\_\_



STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHESTER          )

Ordinance No. 2023-4

**AN ORDINANCE TO REPEAL CHESTER COUNTY CODE §46-202 ENTITLED “STREET LIGHTING”**

**WHEREAS**, Chester County Council has determined it is necessary to repeal a section of the Chester County Code; and

**WHEREAS**, Chester County Council is empowered by the provisions of S.C. Code Ann. §§44-55-1010, *et seq.*, and S.C. Code Ann. §4-9-35, as amended (the “Enabling Acts”), to enact ordinances relating to the management of the County in accordance with existing laws, policies and regulations; and

**WHEREAS**, the County enacted Ordinance §46-202 as an ordinance meant to only fund street lighting County-wide when fiscally possible; and

**WHEREAS**, the Ordinance states with specificity, *The county shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area;* and

**WHEREAS**, the County wishes to provide operational funding for street lighting in certain designated areas; and

**WHEREAS**, in the interest of this purpose, Chester County Council has determined that §46-202 should be repealed and reissued as a new ordinance to express the desire of this Council; and

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL FOR CHESTER COUNTY, SOUTH CAROLINA, DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE IS HEREBY REPEALED:**

Chester County Council does hereby determine that Chester County Code §46-202 does not reflect the wish of this Council and is hereby repealed in its entirety.

This repeal of this Ordinance shall be effective upon adoption by the Chester County Council on the date of the final reading approval.

Enacted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

CHESTER COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_

Joseph R. Branham  
Chair, Chester County Council

Attest:

By: \_\_\_\_\_  
Karen Lee, Clerk to County Council  
Chester County, South Carolina

First Reading: 1-17- 2023  
Second Reading: 2-6- 2023  
Public Hearing: 2-21 2023  
Third Reading: 2-21-2023

Chester County, South Carolina



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHESTER )

Ordinance No. 2023-5

## **AN ORDINANCE TO ENACT CHESTER COUNTY CODE ENTITLED “STREET LIGHTING”**

**WHEREAS**, Chester County Council has determined it is necessary to enact a new section of the Chester County Code; and

**WHEREAS**, Chester County Council is empowered by the provisions of S.C. Code Ann. §§44-55-1010, *et seq.*, and S.C. Code Ann. §4-9-35, as amended (the “Enabling Acts”), to enact ordinances relating to the management of the County in accordance with existing laws, policies and regulations; and

**WHEREAS**, the County repealed Ordinance §46-202 as an ordinance meant to only fund street lighting County-wide when fiscally possible; and

**WHEREAS**, the Ordinance states with specificity, *The county shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area;* and

**WHEREAS**, the County wishes to provide operational funding for street lighting in certain designated areas; and

**WHEREAS**, in the interest of this purpose, Chester County does hereby adopt the following:

*The county shall provide street lighting on highways, streets, or roads as determined appropriate by Chester County Council during a duly called meeting and with*

*a unanimous vote for such provision. The County shall ensure adequate funds are appropriated at that time and for future funding. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area; and*

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL FOR CHESTER COUNTY, SOUTH CAROLINA, DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE IS HEREBY ENACTED:**

*The county shall provide street lighting on highways, streets, or roads as determined appropriate by Chester County Council during a duly called meeting and with a unanimous vote for such provision. The County shall ensure adequate funds are appropriated at that time and for future funding.*

This enactment of this Ordinance shall be effective upon adoption by the Chester County Council on the date of the final reading approval.

Enacted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

CHESTER COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_  
Joseph R. Branham  
Chair, Chester County Council

Attest:

By: \_\_\_\_\_  
Karen Lee, Clerk to County Council  
Chester County, South Carolina

First Reading: \_\_\_\_\_, 2023

Second Reading: \_\_\_\_\_, 2023

Public Hearing: \_\_\_\_\_, 2023

Third Reading: \_\_\_\_\_, 2023

Chester County, South Carolina

Sec. 2-59. - Appearance by citizens.

Formatted: Font: (Default) Arial

- (a) Any person desiring to be heard during the regular council meeting must sign the sign-in sheet upon arrival. A register for any person wanted to be heard during the regular council meeting shall sign a sign in sheet that will be placed in the hall outside the Council chambers prior to each of Council's regularly scheduled meetings. T
- (b) Each request must give the name and address of the person appearing, address and telephone number and the nature of the presentation subject matter, and the estimated time length for the presentation. Anyone needing assistance to sign up should contact the Clerk prior to the meeting. Materials that are to be distributed to the Council for the subject matter must be given to the Clerk for dissemination to the Council. There shall be three separate sign in sheets: For matters of controversy, there will be a sign in sheet for those wishing to speak in favor of a matter and a sign in sheet for those who wish to speak against the same matter. A third sign in sheet shall be available for anyone who wishes to speak on a different topic other than the matter of conterversy. The sign in sheet will be taken up two (2) minutes before the call to order and will be given to the Chair or in the absence of the Chair, to the Vice Chair.
- (c) In matters of controversy, the Chair or in the absence of the Chair, the Vice Chair shall call the first five (5) speakers who are there to speak in favor of a matter and the first five (5) speakers who are there to speak against the same matter. Speakers will be allowed approximately three minutes and will be asked to speak in the order in which they have signed the register; the Chair will alternate each speaker from the "in favor" list and the "against" list. The Chair or in the absence of the Chair, the Vice Chair, may at their discretion, ask if there is anyone else who is signed up and would like to speak on the same subject but has another comment not already vocalized.
- (d) Where an individual has signed up to speak on a subject that is not the subject of debate that evening, that individual shall be heard following the matter of controversy. They shall be afforded the same three minutes as any other speaker.
- (ed) If a presentation should be made on behalf of an organization or group of persons, the organization or group will designate one spokesman to make the presentation on behalf of that particular group or organization.
- (fe) Once an individual or the spokesman for a group concludes his presentation or comments, he shall be seated, and no person other than a member of the council will be recognized to make any statement on such matter unless requested to do so by the council or by any member of the council through the chair.
- (gf) Appearances shall be scheduled following the approval of the minutes as shown on the published agenda.
- (h) Citizens will address Council and will not be permitted to engage in a debate between Council, staff, or other citizens.
- (ig) This procedure shall not be applicable to petitioners, representatives of the news media, nor shall it apply to council staff members or other county employees who may be recognized by the chair for questions and comments relating to the business of the council.
- (i) Professional decorum and courtesy is expected of all speakers.

(Ord. No. 10-01-2007A, rule 4, 10-1-2007)

Formatted: Indent: Left: 0", Hanging: 0.38",  
Numbered + Level: 1 + Numbering Style: a, b, c, ... +  
Start at: 1 + Alignment: Left + Aligned at: 0.25" +



- -Chapter 6 - ANIMALS<sup>[1]</sup>

**Footnotes:**

--- (1) ---

**State Law reference**— Authority to provide for public health, safety, police protection and sanitation, S.C. Code 1976, § 4-9-30(5); authority to provide for control of dogs and other domestic pets, S.C. Code 1976, § 47-3-20; rabies control, S.C. Code 1976, § 47-5-10 et seq.

## **ARTICLE I. - IN GENERAL**

**Secs. 6-1—6-18. - Reserved.**

## **ARTICLE II. - ANIMAL CONTROL**

**Sec. 6-19. - 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:

- For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.
- **ABANDONMENT.** A situation in which an owner or keeper does not transfer ownership, deserts, forsakes, and intends to give up absolutely an animal without securing another owner or without providing for adequate food, water, shelter, care, or humane disposal of an animal.
- **ADEQUATE FOOD.** 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.
- **ADEQUATE SHELTER.** An enclosed, weatherproof structure that is manufactured or constructed expressly for housing a dog or cat 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 (enclosed structure). The enclosed structure must be free of urine and fecal matter and provide space for the animal to stand, turn, and lay down. It must be accessible to an animal and be of sufficient size and nature so as to provide the animal with adequate protection from the sun, heat, cold, or rain. The enclosed structure must be elevated off the ground of sufficient height to keep water, snow, or ice from entering it. In addition to the enclosed structure, a dog or cat must have access to enough natural or artificial shade to cover the animal between the hours of 11:00 a.m. and 3:00 p.m. from insulation, such as shavings or straw, from November 1 through March 1. Examples of unacceptable shelter include but are not limited to: underneath or inside motor vehicles, garbage cans, cardboard boxes, plastic or metal barrels, animal transport crates or carriers; metal wire interior kennels or under houses, structures, decks, outside steps or stoops.
- **ALTERED ANIMALS.** Any animal which has been surgically sterilized by a licensed veterinarian to eliminate reproduction.
- **ANIMAL.** A living vertebrate creature except a homo sapiens.

- **ANIMAL CONTROL OFFICER.** A person employed by the county as an enforcement officer for the provisions of this chapter; provided, however that no animal control officer shall have the power or authority to issue an ordinance summons unless commissioned as a code enforcement officer as provided in S.C. Code § 4-9-145, as amended.
- **ANIMAL HOARDING.**
  - (1) Collecting animals and failing to provide them with humane or adequate care;
  - (2) Collecting dead animals without proper disposal; or
  - (3) Collecting, housing, or harboring animals in filthy, unsanitary conditions that constitute a health hazard to the animals being kept or to the animals or residents of adjacent property.
- **ANIMAL RESCUE GROUP.** An unincorporated or nonprofit organization existing for the purpose of prevention of cruelty to animals and whose purpose is to rescue and rehome animals that cannot be adopted by the animal shelter due to medical, behavioral, holding time limits or other reasons as determined by animal shelter personnel as provided in S.C. Code § 47-3-60.
- **ANIMAL SHELTER.** Any premises so designated by County Council for the purpose of impounding or harboring, caring for, adoption or euthanasia of seized, stray, homeless, abandoned, or unwanted dogs and cats.
- **AT LARGE.** Any domestic or domesticated animal is deemed to be running “at large” when it is off the property of its owner and not under physical restraint or control of the owner or keeper by means of a leash, cage or other effective device which restrains and controls the animal.
- **CAT.** A domestic feline of either sex, except a free roaming cat.
- **DOG.** A domestic canine of either sex.
- **EXPOSURE TO RABIES.** The circumstance in which any person or animal has been bitten by or exposed to any animal known or suspected to have been infected with rabies. This determination shall be made by the health department, animal control officer or a licensed veterinarian.
- **FREE ROAMING CAT.** Any friendly or feral cat without an identifiable owner and home. A free roaming cat may receive care from one or more residents in the community who do not claim ownership of the cat.
- **KEEPER.** Any person feeding, harboring, sheltering, having charge of or taking care of any animal for such a period of time as to constitute responsibility for that animal.
- **LIVESTOCK.** Domesticated equine, bovine, sheep, goats, swine, and fowl.
- **MALTREATMENT.** Ill-treatment of animal generally. Whoever knowingly or intentionally overloads, overdrives, overworks, ill-treats any animal, deprives any animal of necessary sustenance or shelter, inflicts unnecessary pain or suffering upon any animal, or by omission or commission knowingly or intentionally causes these things to be done.
- **ANIMAL MICROCHIP-** is an identification chip, embedded under an animal's skin. This chip is around the size of a grain of rice, measuring in at approximately 25 millimeters in length and two millimeters in width. Standard microchips are a 15-digit traceable number.
- **OWNER.** A person 18 years or older who:

- (1) Has a property interest in an animal.
  - (2) Keeps or harbors an animal or who has an animal in the person's care or acts as its custodian.
- (3) Permits an animal to remain on or about any premises occupied by the person; or
- (4) Provides care, shelter, or nutrition to an animal or group of animals, excepting such care, shelter, or nutrition provided on a temporary basis until such time as an animal control officer or rescue group representative can retrieve the animal/group of animals.
- **PERSON.** An individual, a trust, a firm, a joint stock company, a corporation including a government corporation, a partnership, an association, a municipality, a commission, or a political subdivision of this or another state. (See S.C. Code §47-4-20)
- **PUBLIC NUISANCE.** Any animal chasing vehicles or pedestrians, damaging property other than that of the owner or behaving in a manner which disturbs the rights of, threatens the safety of or injures a member of the general public, carries a communicable disease dangerous to other animals or humans; or has a known history of biting or attacking people or other animals or any person maintaining property 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.
- **RESTRAINT.** The act of keeping a dog which is under the immediate physical control of a person capable of restraining the animal, by means of a collar and leash, or by passive means of control, such as by a fence, kennel, or other confinement device.
- **SECURE ENCLOSURE.** Any fenced or otherwise enclosed area suitable for properly restraining an animal and for prohibiting that animal from coming into contact with people and/or other animals.
- **SPAYED FEMALE.** Any female dog or cat which has been surgically sterilized by a licensed veterinarian to eliminate reproduction.
- **NEUTERED MALE** Any male dog or cat which has been surgically sterilized by a licensed veterinarian to eliminate reproduction
- **STRAY.** Any domestic or domesticated animal, except a free roaming cat, found wandering at large or abandoned in the public ways or on the lands of any person other than its owner.
- **SUSTENANCE.** 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. (See S.C. Code § 47-1-10)
- **TETHER.** A rope, leash, cable, or other device that attaches to a single swivel point.
- **VICIOUS DOG.** Any dog evidencing an abnormal inclination to attack persons or animals without provocation. This definition is not mutually exclusive of the definition of **DANGEROUS ANIMAL.**
- **WATER.** Adequate water provided with constant access to a supply of clean, fresh, provided in a suitable manner for the species. (See S.C. Code § 47-1-10)

- **WORKING ANIMAL.** means an animal used in the performance of a particular set of tasks, while used in such a capacity. Examples include but not limited to, seeing eye dogs, licensed service dogs and dogs used to control a farmer's flock or herd.

**Sec. 6-20. - Enforcement; Interference unlawful.**

(A) The provisions of this chapter shall be enforced in the unincorporated areas of Chester County and any municipal area adopting the provisions, mutatis mutandis.

(B) Under S.C. Code § 4-9-145, Animal Control Officers may be appointed and commissioned by the Chester County Council to enforce all sections under this chapter and any other applicable state law and may exercise their powers on all private and public property within the unincorporated area of Chester County.

(C) Animal Control Officers who are commissioned by the County Council are authorized and empowered to issue written warnings or uniform ordinance summons to enforce any section of this chapter in the unincorporated area of Chester County. Any violator of this chapter may also be charged under any relevant state law under S.C. Code Title 47.

(D) No person shall interfere with, hinder or molest any Animal Control Officer in the execution of that officer's duties or release or take out of impoundment any animal from an animal control vehicle, animal trap, cage or the animal shelter.

(E) Nothing in this chapter shall be construed to prevent sheriff's deputies or law enforcement officers of any kind from enforcing any of the sections of this chapter or from exercising their authority as law enforcement officers.

(Code 1998, § 6-102)

**Sec. 6-21. - Rabies control; Display of Inoculation Tag.**

The animal control department shall enforce and assist other agencies in the enforcement of the provision. The following rules and regulations concerning rabies control shall apply to the areas of the county that have been placed under the jurisdiction of this chapter:

s S.C. Code 1976, §§ 47-5-10—47-5-200, requiring inoculation and rabies control measures.

(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 or the health department stating precisely where the animal may be found.

(B) The animal control officer shall immediately inform the health department upon receipt of any information concerning an animal bite or a possible animal bite.

(C) The animal control officer, in conjunction with the health department, 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 DHEC 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.

(D) Any dog or cat which has bitten a person must be confined for a period of at least ten days. The health department 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 health department in making the examination.

(E) In the case of an animal other than a dog or cat which has scratched or bitten a person, the health department 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.

(F) The health department 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.

(G) 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 county without written permission of the health department. 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 health department notified immediately.

The following rules and regulations governing the inoculation of dogs and cats shall be applicable:

(1) 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.

(2) A State Board of Health 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.

(3) With the issuance of the certificate, the veterinarian shall also furnish the owner with a serially 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.

(4) 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.

(5) The owner shall have a valid certificate of rabies immunization readily available for inspection by competent authority.

(6) In the event that a rabies vaccination tag is lost, the owner will obtain a duplicate tag without delay.

(7) 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

(Code 1998, § 6-103)

**State Law reference**— Mandatory inoculation against rabies, S.C. Code 1976, § 47-5-60.

## **Sec. 6-22. – Impoundment of animals running at large.**

(Code 1998, § 6-104)

(A) It shall be unlawful for the owner or keeper of any dog or livestock 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.

(B) It is unlawful pursuant to the provisions herein for any dog or cat owner or other keeper of a dog or cat to:

(1) Keep a dangerous or unruly dog unless under restraint, as defined herein under § 6-59, so that the dog cannot reach persons not on land owned, leased, or controlled by him or her;

(2) Release or take out of impoundment or quarantine without proper authority any dog or cat or resist county or municipal shelter personnel engaging in the capture and impoundment or quarantine of a dog or quarantining of a cat;

(3) Any person who violates the provisions of this section § 6-22 (B), is guilty of a misdemeanor and must be fined \$50 for a first offense and not to exceed \$500.00 for each subsequent occurrence thereafter.

(C) Whenever any domestic animals shall be found upon the lands of any person other than the owner or manager of the animals, the owner of the trespassing stock 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 trespassing stock shall be held liable for the damages and expenses, in preference to all other liens, claims or encumbrances upon it. (See S.C. Code § 47-7-130)

(D) Any freeholder or tenant of land, his or her agent or representative, may seize and hold possession of any stock which may be trespassing upon his or her premises, and as compensation for the seizure may demand of the owner of every such horse, mule, ass, jennet, bull, ox, cow, calf, swine, sheep, goat, or other animal not herein named, just damages for injuries sustained. The claim shall, when possible, be laid before the owner of the trespassing stock within 48 hours after seizure of the stock. (See S.C. Code § 47-7-140)

(E) In case the claim shall not be amicably or legally adjusted and the trespassing stock recovered by the owner within 12 hours after the receipt of the notification, the owner shall further become liable in a sum sufficient to cover the maintenance and care of his or her stock up to the time of its removal, but the owner shall be entitled to recover immediate possession of

his or her stock on due execution of the bond to cover expenses and claimed damages as any magistrate shall decide to be good and sufficient. (See S.C. Code § 47-7-150)

(F) In any criminal prosecution for violation of the provisions of §§ 6-22 *et seq.*, 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. (See S.C. Code §47-7-170)

(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. If the animal is not reclaimed by the owner 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 owners property when the owner is absent or away from the property may be removed from the owner'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 §6-22, 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) The Animal Control Director, Supervisor or designee is authorized to hold identifiable animals and dispose of them if the owner fails to claim them. The Animal Control Director, Supervisor or designee must not euthanize any positively identifiable dog or cat until they have notified the owner at his or her last known address by registered mail that officers have the dog or cat in their possession. The owner must notify the animal shelter within two weeks after receipt of the registered letter than the owner will reclaim the dog or cat. If the owner does not reclaim the animal within two weeks of notification, it may be euthanized. Reasonable costs associated with the above extended holding period, including cost of mailing the required notice, must be paid before the dog or cat is returned to its owner, or the owner's designee, in addition to any other established costs, fines, fees, or other charges.

Any animal that has been impounded for five days and unclaimed by its owner will become the property of Chester County and may be disposed of as follows:

(k) An animal may be placed for adoption to a person 18 years or older upon compliance with the provisions and payment of the fees required by this chapter.

(L) An animal may be released to an approved animal rescue group as defined in this chapter if it has been determined that the animal is not suitable for adoption to the public or space at the animal shelter is not available to house that animal.

(M) An animal may be humanely euthanized if deemed to be unadoptable due to medical, behavioral or spatial issues.

**(Code 1998, § 6-105)**

## **Sec. 6-23. - Redemption.**

(A) To obtain the release of an animal after impoundment, an owner must be at least 18 years old and also provide documentation that the animal is currently inoculated against rabies and also must pay the impoundment fee as specified in § 6:32 of this chapter.

(B) If an animal is not reclaimed by its owner within 24 hours of the impoundment of that animal, a boarding fee will be charged at the current established boarding rate for each day after the first day of impoundment.

(C) Pursuant to the provisions of S.C. Code § 47-3-55(C) and (E); all dogs and cats that are reclaimed from the animal shelter will have a microchip implanted with the associated cost of the microchip added to any impoundment and boarding fees. The owner redeeming his or her dog or cat must elect to have a microchip implanted.

(D) An increasing impoundment fee will be charged to an animal owner according to the schedule established in this chapter each time an animal belonging to the same owner is impounded up to three consecutive times. Any subsequent impoundments charged to the owner after three times will be charged at a rate equal to the third impoundment fee and for each time thereafter.

(1) In calculating the fees required under this section, no animal impoundments charged to the animal owner occurring more than three years before the current impoundment shall be considered.

(2) The Animal Control Director may, at his or her discretion, waive all fees for the first impoundment if, in the judgment of the Animal Control Director, a violation of this code is inadvertent and there are extenuating circumstances which would warrant the waiver of fees for a first impoundment.

(E) The Animal Control Director may prohibit an owner of any animal to reclaim the animal, which, by virtue of its temperament, size, behavior, history or any combination thereof, may present a danger to the safety of the public. Under this provision, the animal may be held at the Animal Shelter pending a hearing before a magistrate to determine if additional confinement measures are necessary. In the case of such a detention of an animal, boarding fees shall accrue pursuant to the schedule of fees set forth herein, but, may be waived by the magistrate upon a finding that additional confinement of the animal in issue is not necessary.

(F) All requests for information on circumstances and reasons why an animal was impounded must be requested through the Freedom of Information Act. A written request must be submitted stating what information is requested, and it must include the contact information for the person making the request.

## **Sec. 6-24. - Adoption.**

(A) Any animal impounded under the provisions of this chapter may, at the end of the legal detention period be evaluated by the shelter staff and be eligible for adoption, at the discretion of the Animal Control Director or designee, by a person 18 years or older who will agree to comply with the provisions of this chapter. In determining whether an adoption is suitable for the animal, the behavior of the animal, how the animal responds to the prospective adopter, and any other characteristics of the animal or the placement that may affect the welfare of the animal or the prospective adopter.



(B) A person may be refused adoption of an animal by the Animal Control Director if it is determined that the person wishing to adopt an animal has a history of (as evinced by County records) or past conviction of abandonment, maltreatment, or any other violation of this chapter.

(C) The Animal Control Director, Supervisor or designee may schedule a home visit to verify the living conditions and health of the animal comply with the Animal Control Adoption Agreement. This home visit must occur no later than six months after the date of the adoption. Should the Animal Control Director, Supervisor or designee find the living conditions or health of the animal violate the Animal Control Adoption Agreement or these ordinances, he or she may schedule additional visits to ensure compliance or seek an order from the magistrate court allowing Animal Control to remove the animal from the adopter's home. Additionally, the Animal Control Director or designee may enforce any violations of this chapter observed during a home visit.

(D) If a licensed veterinarian certifies within three days of the adoption of an animal that the adopted animal is ill, sick or injured, the person to which the animal was adopted may request a refund or exchange the animal for another animal.

*(Code 1998, § 6-106)*

## **Sec. 6-25. - Public nuisance.**

(A) 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 unlawful.

(1) Maintaining 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.

(2) 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. (change to city to enforce)

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

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

(B) A pet which has been determined to be a nuisance by the department of animal control 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.

(C) Every female pet in heat shall be kept confined in a building or boarded at a veterinarian's office in such a manner as will not create a nuisance by attracting other animals.

(D) Any person walking or owning an animal must clean up any waste deposited by the animal on public property or the private property of anyone other than the property of the animal's owner.

(E) It shall be unlawful for any person to hoard animals

(Code 1998, § 6-107)

## **Sec. 6-26. – Abandonment and Maltreatment prohibited.**

(A) *Acts of agents imputed to corporations.* The knowledge and acts of agents and persons employed by corporations in regard to animal transported, owned or employed by or in the custody of the corporations shall be held to be the acts and knowledge of the corporations. (See S.C. Code § 47-1-20)

(B) *Ill-treatment of animal generally.* Whoever knowingly or intentionally overloads, overdrives, overworks, ill-treats any animal, deprives any animal of necessary sustenance or shelter, inflicts unnecessary pain or suffering upon any animal, or by omission or commission knowingly or intentionally causes these things to be done, for every offense is guilty of a misdemeanor.

(C) *Abandonment of animals.*

(1) A person may not abandon an animal. As used in this section **ABANDONMENT** is defined as deserting, forsaking, or intending to give up absolutely an animal without securing another owner or without providing the necessities of life. Necessities of life includes adequate water, adequate food, and adequate shelter, as defined in § 6-19.

(2) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be punished for each offense in the manner prescribed in §6:32. (See S.C. Code § 47-1-70)

(D) If an animal is found to be obviously abandoned by the owner or keeper, an animal control officer may impound that animal.

(E) No person shall cause, instigate, attend or permit any dog fight, cockfight, or other combat between animals or between animals and humans.

(F) *Poisoning animals.* No person shall intentionally place any known poisonous substance, whether mixed with food or not, in a place where an animal may eat the poisonous substance. However, it shall not be unlawful for a person to place poison on his or her property for the purpose of pest or vermin control.

(G) In a case of abandonment or maltreatment, an animal control officer may determine that removal of an animal is required to prevent further suffering or ill-treatment. In such case, an animal control officer may petition a magistrate as allowed under S.C. Code § 47-1-150(C) for an order allowing Animal Control to lawfully take custody of the animal or an order requiring the owner to provide certain care for the animal at the owner's expense. An animal control officer applying for an order must comply with all evidentiary, notice, and hearing requirements described in S.C. Code § 47-1-150.

(H) *Immunity from civil and criminal liability.* Any person, including a person licensed to practice veterinary medicine, or an animal control officer or agent of the South Carolina Society for the Prevention of Cruelty to Animals or any society incorporated for that purpose, who in good faith and without compensation for services provided, acting without malice, recklessness, or gross negligence, renders emergency care or treatment to a domestic animal which is abandoned, ill, injured, or in distress related to an accident or disaster shall not be liable or subject to any civil or criminal liability for any injuries or harm to the animal resulting from the rendering of such care or treatment, or any act or failure to act to provide or arrange for further medical treatment or care for the animal. (See S.C. Code § 47-1-75)

(Code 1998, § 6-109; Ord. No. 2018-4, 4-3-2018)

## **Sec. 6-27. - Euthanasia.**

(A) The animal control department shall use injections of sodium pentobarbital as the sole method of euthanasia for animals. Intravenous injections of sodium pentobarbital shall be the primary method of euthanasia; however, intraperitoneal injections may be used to euthanize fractious and feral animals. It shall be unlawful for animal control personnel to give an intracardial injection of sodium pentobarbital to a conscious animal; however, an intracardial injection may be given to an unconscious animal which exhibits no eye reflexes.

(B) Sodium pentobarbital shall be administered only by animal control personnel certified by a licensed veterinarian. A log of use of sodium pentobarbital shall be maintained at the animal control shelter. Drugs at the animal control shelter shall be kept in locked storage accessible only by a certified animal control officer, and shall be maintained, used and disposed of in accordance with applicable county, state and federal regulations.

## **Sec. 6-28.- Restraint Requirements**

(A) When a tether is utilized as a means of restraint, a responsible adult must be physically outdoors with their dog, and the dog must be under the owner's direct control. The tether must be at least ten feet in length, have swivels on both ends, and allow the animal to utilize the entire 360-degree circular area designated by the tether. The tether must allow the dog free access to food, water and shelter. Any tether must be attached to a properly fitting collar or harness worn by the dog and shall weigh no more than 10% of the dogs estimated body weight.

(B) Owners may use trolley systems, fences, ground tether and kennels for passive restraint of dogs.

(C) The primary usable trolley runner line must be suspended at least three feet above the dog's head, with at least ten feet in length between two pulley stop points. The secondary line attached to dog shall have a rolling trolley freely moveable a distance of at least ten feet on the primary trolley line with a spring/shock absorber attachment and swivels at both ends. The trolley system shall allow the dog unrestricted body movement and utilization of the entire area designated by the system, with a minimum of five feet lateral movement for the dog on each side of the primary trolley line, as measured on the ground. The trolley system must allow the dog free access to food, water, and shelter. The trolley system must be of appropriate configuration to prevent escape of the dog and confine the dog to the owner's property. The primary trolley line shall be used to restrain only one dog at a time.

(D) All collars used must be made of nylon, leather, or other durable and non-metallic material and must be fitted so as to not cause injury to the animal or embed itself in the dog's neck.

(E) Use of a chain, choke, or pinch collar for passive restraint is prohibited.

(F) Any dog that is restrained must be a sufficient distance from any other objects or debris so as to prohibit any tangling of the restraint or from extension over an object or an edge that could result in injury or strangulation of the dog.

(G) No animal shall be permitted to be on private property unless it is with the express permission of the property owner.

(H) An unspayed female dog must be confined within a building or secure fence or kennel to prevent potential contact with stray dogs.

(I) The area of every fence or kennel must measure at least ten feet by ten feet equal to 100sq ft.

(J) The ground tether has the following properties:

- a. A minimum ten-foot length;
- b. A swivel type termination at both ends;
- c. Is not made of chain;
- d. Total weight does not exceed ten percent of the animal's body weight,
- e. Is fabricated of a material that prevents tangles.

### **Sec 6-29. - Injured, Diseased and Dead Animals.**

(A) It shall be unlawful for any person to intentionally strike an animal with an automobile or other vehicle.

(B) Any person injuring a dog or cat by striking it with an automobile or other vehicle shall notify the owner of the animal, if identification is possible, or shall notify the Animal Control Department if the animal cannot be identified.

(C) Any animal received by a veterinarian in critical condition from wounds, injuries or disease, may be destroyed if the owner cannot be contacted and the pet is suffering great pain.

(D) If an injured animal has been released to the shelter and is determined to be unadoptable to the public, the animal may be eligible for rescue by any approved animal rescue group after an evaluation by the shelter veterinarian. Upon rescue, the animal will become the property of the rescue organization. Injured or distressed animals that have been released to the shelter will not be held an unreasonable length of time awaiting pick up by a rescue organization.

(E) Whenever any animal shall die from any natural or other cause, the owner or keeper of the animal must bury the body, within 48 hours of the death of the animal, at least three feet underground. An owner or keeper may not dispose of any part of a dead animal in any lake, creek, pond, road, street, alley, or lane. An owner or keeper who fails to properly dispose of a dead animal as required violates this section and, in addition to the penalties prescribed in §6:32, must pay all costs incurred by Chester County for proper disposal of the animal.

### **Sec 6-30. -Violation of Owner Surrender Program.**

Chester County Animal Control established policies and fees governing owner surrender of animals. Any person who brings an animal to Animal Control and turns over that animal as a stray when the person actually owns the animal violates this chapter and is subject to the penalties described in §6:32.

### **Sec. 6-31. -Records.**

(A) Accurate records shall be kept by the animal shelter on all animals impounded as to whether they are redeemed, adopted or euthanized.

(B) Records shall also be kept on all cases involving animal bites.

**Sec. 6-32. -Fees**

(A) The fees set forth herein shall be applicable to the functions listed and such fees shall be turned over to the county treasurer, who shall make a monthly accounting of the funds.

Adoption Fee	\$50 Dogs	\$20 Cats
Impound Fee 1st Occurrence	\$50	
Impound Fee 2nd Occurrence	\$100	
Impound Fee 3rd Occurrence	\$125	
Impound Fee 4th (and subsequent Occurrence)	\$300	
Board Fee	\$15/day for dogs, cats.	
	\$30/day for livestock and fowl	
Microchip	\$20	
Owner Surrender Fee	\$50 per animal or \$75 per litter of three or more animals	

(B) *Special adoption events.* The Animal Control Director may reduce the adoption fee for a specific period of time to encourage adoptions. The Animal Control Director must publish on the county web site and post in the shelter an advertisement that states the beginning date, end date, and the adoption fee for the special adoption event.

**Sec. 6-33 -Rules of Construction; Remedies Not Exclusive.**

(A) Nothing in this chapter may be construed to limit the power of the county to prohibit animals from running at large, whether or not they have been inoculated as provided in this chapter; and nothing in this chapter may be construed to limit the power of the county to regulate and control animals in the unincorporated area of the county or to enforce other and additional measures for the restriction and control of rabies.

(B) The penalties imposed in this chapter are non-exclusive. In the event of any violation or proposed violation of this chapter, the county manager, the director of public works, or the Animal Shelter Director, or any adjacent, neighboring, or affected property owner who would be damaged by the violation may, in addition to other remedies, apply to a court of competent jurisdiction for injunctive relief, mandamus, a restraining order, or other appropriate relief in a civil proceeding to prevent, correct or abate the violation or threatened violation of this chapter, and pursue all such additional remedies which shall be cumulative to the penalties provided herein.

**Sec. 6-34 -Penalty.**

(A) Except as expressed within §6.22 (B), a person refusing to comply with the provisions of this chapter or violating any of the provisions of this chapter will be subject to the issuance of an ordinance summons for each offense and upon conviction shall be guilty of a misdemeanor and subject to fines not to exceed \$500 per offense and/or imprisonment not to exceed 30 days, and in addition, shall be liable for all court costs and fees, and further shall be liable to pay all costs and fees incurred in the provision of care for the animal and all related expenses.

(B) As more particularly described in §6.20, violations of §6.19 *et seq.* shall be enforced by any duly commissioned enforcement officer using the county ordinance summons or by the Chester County Sheriff or any duly constituted deputy sheriff.

(C) Nothing herein is intended to abrogate the counties or any citizen's civil remedies available under statutory or common law.

Section 47-3-1010. As used in this article, the term:

**DOG BREEDER** - means any person or business that owns, has custody of, or maintains **2 unaltered dogs** over the age of six months that are capable of reproduction and kept primarily for the purpose of breeding and selling the offspring to a person, business, or pet store for resale as pets to the general public.

**Investigator** - means any animal control officer, public health or safety official, or law enforcement officer employed by the municipality or county where a dog breeder resides or maintains breeding operations.

## **Sec. 6-35-Breeding.**

*Section 47-3-1030.*

(A) A animal breeder shall provide the following for each animal owned, kept, or maintained by that breeder:

- (1) access to exercise on a daily basis;
- (2) access to adequate food and water;
- (3) access to adequate food provided at appropriate intervals to maintain a healthy weight;
- (4) appropriate veterinary care, including routine and preventative care; **by a licensed veterinary**
- (5) each animal must be microchipped before being bred or released from the facility.**
- (6) daily assessment of each **animals'** overall health and behavior;
- (7) appropriate and prompt treatment or attention to any deviation in health;
- (8) preventative care sufficient to keep animals free from internal and external parasites;
- (9) a primary enclosure that:
  - i. is constructed and maintained so that animals are securely confined;
  - ii. does not cause injury to the animals;
  - iii. protects the animals from extreme weather conditions;
  - iv. is maintained in a sanitary manner;
  - v. is large enough that each animal can sit, stand, lie down, or turn around comfortably with no overcrowding; and
  - vi. clean and free from debris and odor and shall remove feces and dispose of them as frequently as necessary so as not to pose a threat to the health of the animals;
- (10) protection from adverse or extreme weather conditions;

(10) flooring that provides solid footing. If wire is used as flooring of a primary enclosure, it should be comprised of a material featuring a protective coating, be of an appropriate size to prevent injury, particularly to the animals feet, and must be kept in good repair; If wire is used, a solid platform of sufficient size should be provided to allow the dogs to attain solid footing and to offer a space for resting;

(11) lighting, artificial or natural, that provides a regular lighting cycle for the animals;

(12) bedding material that is clean and does not pose a risk to the animals.

(B) An animal breeder shall maintain accurate records for at least five years that include:

(1) the date on which a animal enters the operation or business;

(2) the name of the person from whom the animal was purchased or obtained, including the address and phone number of the person;

(3) the name of the pet store or person the animal is sold to;

(4) a description of the animal, including the species, color, breed, sex, and approximate age and weight;

(5) any tattoo, microchip number, or other identification number carried by or appearing on the animal;

(6) each date that juveniles were born to the such animal and the number of.

(7) all medical care and vaccinations provided to the animal.

(8) A breeder may only breed a female dog after an annual certification examination by a licensed veterinarian which certifies that the dog is in suitable health for breeding and is under the age of eight years.

(9) An investigator may, upon receiving a complaint or upon their own suspicion, investigate any potential violation of the provisions of this article. The investigation may include the inspection of the books and records of the dog breeder, the inspection of any companion animal owned by the dog breeder, and the inspection of any place where animals are bred or maintained. The investigator may enter any premises, including the residence of the breeder, where animals may be bred or maintained during daytime hours while conducting the investigation.

(C) *Section 47-3-1060.* A person who violates a provision contained in this article, for a first offense, is guilty of a misdemeanor and, upon conviction, must be fined not less than two hundred dollars and not more than one thousand dollars. A person convicted of a second or subsequent offense must be imprisoned not more than thirty days. Each violation shall constitute a separate offense. The provisions of this article are in addition to, and not in lieu of, any other State or federal laws protecting animal welfare. This article shall not be construed to limit any State law or regulation protecting the welfare of animals, nor shall anything in this article prevent a local governing body from adopting and enforcing its own animal welfare laws and regulations in addition to this section.

**Breeders must purchase a breeders License of \$300.00 from the Chester County Animal Control.**

(Exemptions for working animals and livestock defined §6.60)

### **6.36 KEEPING OR HARBORING STRAY ANIMALS.**

(A) No person, without the actual consent of the owner, shall harbor, feed, keep in possession by confinement or otherwise have any animal which does not belong to such person, unless he has, within 24 hours of the time the animal came into his or her possession, notified the animal shelter. Upon receiving such notice, the animal shelter may choose to impound the animal.

(B) No person shall refuse to surrender a stray animal to an employee of the animal shelter upon demand.

**Secs. 6-37—6-57. - Reserved.**

## **ARTICLE III. - DANGEROUS ANIMALS**

**Sec. 6-58. - 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:

### ***DANGEROUS ANIMAL.***

(1) Any animal as defined in §6.19

(a) 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 animals**.

(b) Which:

1. 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 as required by § 6.59;

2. Commits unprovoked acts in a place other than the place where the animal is confined as required by § 6-59 and those acts cause a person to reasonably believe that the animal will attack and cause bodily injury to a human being.

3. 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 as required by § 6-59.

(c) Which is owned or harbored primarily or in part for the purpose of fighting or which is trained for fighting.

(2) Does not include:

(a) An animal used exclusively for agricultural purposes; or



(b) 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.

(3) An animal is not a dangerous animal solely by virtue of its breed.

(4) As used herein, **INJURY** or **BODILY INJURY** including but not limited to broken bones, lacerations, punctures of the skin, or any physical injury resulting in death.

(Ord. No. 03-21-2007D, § 1, 3-21-2007)

## **Sec. 6-59. - Keeping of dangerous animals.**

(A) *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 muzzled and under restraint, or under the physical control of its owner. 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 or her premises. 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. (See S.C. Code § 47-3-720)

(B) 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. Exceptions:

(1) 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.

(2) No person may possess with intent to sell, offer for sale, breed, or buy or attempt to buy a known dangerous 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.

(C) *Seizure and impoundment of dangerous animal.*

(1) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or 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 §§ 47-3-720, 47-3-740, or 47-3-760(E), 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.

(2) If a law enforcement agent, animal control officer, or animal control officer under contract with a county or municipal government to provide animal control services has probable cause to believe that a dangerous animal is being harbored or housed in

violation of S.C. Code § 47-3-730, the agent or officer may seize and impound the dangerous animal while the trial is pending.

### **Sec. 6-60. - Exemptions.**

The provisions of this article shall not apply to:

- (A) The provisions of §6.35 (A) of this chapter shall not apply to hunting dogs while engaged in hunting or training exercises while on the property of the owner or property of a consenting landowner. The hunting dogs are permitted to be under voice control or electronic tracking control rather than under the restraint required in §6 28(A) of this chapter.
- (B) The provisions of §6.35 of this chapter shall not apply to Livestock or Working Animals.
- (C) The provisions of §6.22 of this chapter shall not apply to a working dog or trained guard dog actively engaged in protection or working of livestock while on the property of the owner or property of a consenting landowner. The dog is allowed to cross an intersecting public right-of-way while actively engaged in protection or working of livestock. The working or trained guard dog is permitted to be under voice control or electronic tracking control rather than under the restraint required in §6.22 of this chapter.
- (D) If any dog strays on public property or private property without permission of the landowner, the exception contained in this section shall not apply, and the owner of the dog shall be in violation of the provisions of this chapter.
- (E) Animal control or law enforcement agencies or officers acting under the authority of this act.
- (F) Licensed veterinary hospitals or clinics in possession of dangerous animals for treatment or rehabilitation purposes.
- (G) Any county resident living within the boundaries of the county and having preexisting ownership of a dangerous animal holding appropriate and current licensing at the effective date of the ordinance from which this article is derived shall within 30-calendar days of the effective date of the ordinance from which this article is derived contact the county animal control to register the dangerous animal with the county. All persons, firms or corporations keeping or owning dangerous animals in the county shall pay a yearly fee of \$100.00 per location. Failure to register a dangerous animal or to pay the annual fee shall be governed by [§6-59](#).

(Ord. No. 03-21-2007D, § 3, 3-21-2007)

### **Sec. 6-61. - Animal facilities.**

(a) Any person, firm or corporation keeping or owning dangerous animals in the county shall comply with guidelines established by the United States Department of Agriculture

for the purpose of construction of cages, housing of animals and subsequent care of animals. Temporary housing of any type will be prohibited.

(b) Any person, firm or corporation keeping or owning dangerous animals in the county shall comply with all regulations promulgated by any other state or federal agency, including, but not limited to, the Animal Welfare Act (7 USC 2131 et seq.) and its subsequent amendments and the regulations adopted under that act and the Captive Wildlife Safety Act (16 USC 3372 et seq.) and its subsequent amendments and the regulations adopted under that act.

(c) Any person, firm or corporation keeping or owning dangerous animals in the county shall have adequate locks upon the cages housing said animals. The county animal control officers shall have the authority to inspect the locks on each cage housing dangerous animals.

(d) Animal Control Officers may enter the exterior area of private property for the purpose of inspecting the premises to determine if owners of animals complied with the provisions of this chapter.

(e) There shall be no trees or any other structures, which could in any way assist the animal in climbing or jumping, located within 15 feet of the cage side.

(f) Any USDA licensed exhibitor must have a mobile facility for any dangerous animal that is taken out of a stationary facility. Such animals shall not be allowed out of a caged area at any time. These animals must be led to and from their cage to the mobile facility through a totally enclosed caged corridor.

(g) The owner or owner's designee of any person, firm or corporation owning dangerous animals in the county on the effective date of the ordinance from which this article is derived must have permanent residential housing on the property where the said dangerous animals are located and must have an individual available on site on a 24-hour basis.

(h) Any violation of this article shall be punishable by a fine of up to \$1,000.00 in addition to stated fines and costs.

(Ord. No. 03-21-2007D, § 4, 3-21-2007)



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHESTER )

Ordinance No. 2023-9

**AN ORDINANCE ESTABLISHING A SOCIAL MEDIA POLICY FOR CHESTER COUNTY**

**WHEREAS**, Chester County has the authority under S.C. Code §4-9-30 to adopt ordinances and to promulgate rules and regulations pertaining to its government and affairs, and to review interpret and amend its ordinances, rules and regulations; and

**WHEREAS**, Chester County Council is empowered by the provisions of S.C. Code S.C. Code Ann. §4-9-30(5), as amended to enact ordinances and policies relating to the management of the County in accordance with existing laws, and regulations; and

**WHEREAS**, Chester County endorses the secure use of social media tools to enhance communication, collaboration, and information exchange, streamline processes, and foster productivity improvements; and

**WHEREAS**, the County wishes to provide the use of Facebook or other public technology to involve only the sharing of information in an Information Sharing Only designation; and

**WHEREAS**, the County shall communicate on social media platforms in accordance with the Social Media Policy as described in Exhibit A of this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL FOR CHESTER COUNTY, SOUTH CAROLINA, DULY ASSEMBLED THAT THE FOLLOWING ORDINANCE IS HEREBY ADOPTED:**

Chester County Council does hereby adopt the Social Media Policy as attached herein as Exhibit A, and incorporated by reference into this Ordinance.

This Ordinance shall be effective upon adoption by the Chester County Council on the date of the final reading approval.

Enacted and approved this \_\_\_\_ day of \_\_\_\_\_, 2023.

CHESTER COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_

Joseph R. Branham  
Chair, Chester County Council

Attest:

By: \_\_\_\_\_

Clerk to County Council  
Chester County, South Carolina

First Reading: \_\_\_\_\_, 2023

Second Reading: \_\_\_\_\_, 2023

Public Hearing: \_\_\_\_\_, 2023

Third Reading: \_\_\_\_\_, 2023

Chester County, South Carolina



## **CHESTER COUNTY SOCIAL MEDIA POLICY**

**February 2023**