

## **ANIMAL CONTROL POLICY**

Due to the many repeated animal violations/complaints and disregard to the Windmill Harbour Covenants pertaining to animals, the Windmill Harbour Policy regarding animals will be as follows:

As of September 1, 2000, all animal violations/complaints of the Beaufort County Animal Code will be reported to the Beaufort County Animal Control Officer. Security Officers will issue a violation notice for all Beaufort County Code and Covenant violations. Any person reporting a violation will do so by obtaining a complaint form from the security office, complete, sign and return the form to Security. The Security Office will notify the person responsible for the violation and then forward the violation to the Beaufort County Animal Control Officer. The complaint must be in writing. Phone call complaints will only be recorded.

The Beaufort County Code states:

*Public nuisance* means any animal which:

- Molest(s) passerby or passing vehicles
- Attack(s) other animals
- Are repeatedly at large
- Damage private or public property
- Bark, whine, howl, screech or crow in an excessive, continuous or untimely fashion.

*Restraint* means an animal secured by a leash or lead under the control of a responsible person within the boundaries of the owner's property or any public property.

*Vicious animal* means any animal or animals that constitute a physical threat to human beings or other animals (S.C. Code 47-3-710).

### **Licensing of Animals**

*Application requirements*

- Any person owning, keeping, harboring, or having custody of an animal over three (3) months of age within the boundaries of Beaufort County must obtain a license as herein provided.
- Applications for a license must be made within fifteen (15) days after obtaining an animal over three (3) months old, except this requirement shall not apply to a non-resident keeping an animal within the county for no longer than fifteen (15) days.

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*Application procedure*

- Prior to the first day of each year, a written application for a license shall be made to any participation veterinary hospital or animal shelter. Such application shall state the name and address of the owner and the animal's name, breed, age and sex. Each license applicant must furnish proof that the animal for which the license is requested has a valid rabies certificate. The license fee shall be paid at the time of making application, a numbered receipt given to the applicant, and a numbered metallic tag shall be issued to the owner for attachment to the pet's collar or harness.

*Licensing periods*

- If not revoked, licenses for keeping an animal shall be for a period up to one (1) year. All licenses expire on December 31 for the year issued.
- Applications for licenses may be made forty-five (45) days prior to the beginning of the license period. When a new animal is acquired or an animal becomes subject to the provisions of the article, a license must be acquired within fifteen (15) days thereafter.

*Amount of fees*

- The license fee for each animal is three dollars (\$3.00) per year, excluding animals used to assist the handicapped.

*Issuance of tags*

- Upon acceptance of the license application and fee, the licensing authority shall issue a durable metal tag stamped with an identifying number and the year of issuance. Tags should be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.

*Tags required*

- A valid metal rabies tag and a license tag must be attached to a collar or harness and worn by the animal at all times (S.C. Code 47-5-60).

*Tags replacement*

- A duplicate license for a lost tag may be obtained upon the payment of a one dollar (\$1.00) replacement fee.

*Transfer of license*

- If there is a change in the ownership of the animal during the licensing year, the new owner may have the current license transferred to his name upon the payment of a transfer fee of one dollar (\$1.00).

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*Use of license for another animal*

- No person may use any license (tag) for any animal other than the animal for which it was issued.

*Violations*

- First offense of licensing clauses may be subject to a fine of up to fifty dollars (\$50.00) or at the discretion of the court.
- Second offense of licensing clauses may be subject to a fine of up to one hundred dollars (\$100.00) or at the discretion of the court.
- Third offense of licensing clauses may be subject of a fine of up to two hundred dollars (\$200.00) or at the discretion of the court.

**Restraint of animals by owners**

*Animals running at large*

- It shall be unlawful for any owner or custodian of any dog, cat or other animal to permit same to run at large at any time upon any street or highway or property within the county (S.C. Code 47-7-110).

*Control of animals generally*

- No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance.

*Female dogs and cats*

- Every female dog and cat in heat shall be confined in a building or veterinary hospital in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding.

*Vicious animals*

- Every vicious animal, as determined by the animal control officer, magistrate or licensing authority, shall be confined by the owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner (S.C. Code 47-3-720).

*Animals disturbing the peace*

- No person owning or having custody of any dog, or any other animal, shall permit the same to unreasonably bark, whine, howl, screech, or crow.

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*Any person violating the provisions of this section may be found guilty of a misdemeanor and punished in the following manner:*

- Fined not less than one hundred dollars (\$100.00) or ten (10) days in jail and up to two hundred dollars (\$200.00) or thirty (30) days in jail or at the discretion of the court.
- Each day's violations of any provisions of this section shall constitute a separate offense.

**Impoundment of animals.**

*Seizure of animals running at large generally*

- Any dog, cat, vicious animal, or other animal running at large may be seized by an animal control officer and transported to the county animal shelter and there confined in a humane manner for a period of not less than three (3) days and may thereafter be disposed of in a humane manner if not claimed by the owner.

*Animals at large; disposition*

- When animals are found running at large and their ownership is known to an animal control officer, such animals need not be impounded but can be returned to the owner and the officer may cite the owners of such animals to appear before a magistrate of Beaufort County to answer to charges of violations of this article. Upon the seizure of any animal found running at large with a county tag, a Beaufort County Animal Shelter and Control Officer will screen the county license records and attempt to notify the owner or custodian by written notice and/or telephone that the animal is being held by a shelter for disposition (S.C. Code 47-3-540).

*Unclaimed animals; disposition*

- Animals not claimed by their owners after notification or attempted notification or before the expiration of three (3) days shall become the property of a Beaufort County Animal Shelter and Control and may be placed for adoption or euthanized at the discretion of the director of the Beaufort County Animal Shelter and Control.

*Abandoned animals*

- When determined that an animal, or animals, has/have been left unattended for a period of twenty-four (24) hours or longer, it/they will be considered abandoned. The animal control officers may enter the property(ies) for the purpose of removing the animal or animals. The animal, or animals, will then be taken to the animal shelter and confined there for a period of three (3) days. Whoever abandons an animal will be prosecuted to the extent possible pursuant to S.C. Code 47-1-50.

### **Redemption of impounded animals**

#### *Redemption procedure*

- The owner shall be entitled to resume possession of any impounded animal upon proof of ownership and payment of impoundment fees as set forth herein.

#### *Failure to redeem within holding period*

- The owner of an animal impounded and not redeemed within the required holding period shall be responsible for any costs incidental to impoundment in the amount set forth herein.

#### *Redemption fees*

- Any impounded animal may be reclaimed as herein provided upon payment by the owner to the Beaufort County Animal Shelter and Control.

#### *Redemption limitation*

- The reclaim fee shall be twenty-five dollars (\$25.00) for the first twenty-four (24) hours of confinement for the first impoundment; the reclaim fee for the second impoundment will be fifty dollars (\$50.00) and the reclaim fee for the third impoundment and each subsequent offense will be one hundred dollars (\$100.00).

#### *Boarding fee*

- A boarding fee not to exceed fifteen dollars (\$15.00) a day will be imposed following the first twenty-four (24) hours.

#### *Fees to be posted*

- All fees shall be published and posted in a prominent place within the Beaufort County Animal Shelter and Control.

#### *Proof of rabies and license*

- In order to reclaim impounded animals from the Beaufort County Animal Shelter and Control, a current and valid rabies certificate and county license certificate must be presented or obtained at the time of the reclaim.

### **Cruelty to animals**

#### *Animal care generally*

- No owner shall fail to provide his animals with sufficient, good and wholesome food and water at all times, proper shelter and protection from the weather, veterinary care when needed to prevent suffering, and humane care and treatment. Failure to comply with the animal control officer's instructions/directions will result in the animal control officer impounding the animal(s) pending the ruling of the court.

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*Mistreatment of animals*

- No person shall beat, cruelly ill treat, shoot, torment, overload, overwork, use or destroy for sacrificial purposes, or otherwise abuse an animal, or cause, instigate, permit or witness any dogfight, or other combat between animals or between animals and humans. Failure to comply with the animal control officer's instructions/directions will result in the animal control officer impounding the animal pending the ruling of the court (S.C. Code No. 57-1-40).

*Striking animals with motor vehicle*

- Any person operating a motor vehicle who strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner. In the event the owner cannot be ascertained and located, such operator shall report the incident at once to the Beaufort County Animal Shelter and Control. If the shelter is closed, the operator shall report the incident to the local law enforcement agency.

*Leaving animals unattended*

- No person shall leave an animal(s) unattended for more than twenty-four (24) hours. This shall constitute abandonment. After a twenty-four (24) hour period, if no contact has been made with an owner, the animal control officer will pick up the animal(s) and transport it (them) to the animal shelter.

*Animals locked in vehicle*

- It shall be illegal for any person to leave an animal(s) unattended in a vehicle. The animal control officer assisted by another law enforcement officer will remove the animal(s) when the officers' opinions are that the animal(s) is/are in distress.

*Abandoning animal in a public place*

- (S.C. Code 47-1-10).

*Cruelty to animals*

- Persons violating this section are guilty of a misdemeanor and upon conviction may be fined up to five hundred dollars (\$500.00) or sixty (60) days in jail. This offense of this section may be tried in a magistrate's court.

*Separate offenses*

- Each day's violation of any provisions of this section shall constitute a separate offense.

## **Enforcement**

### *Entering owner's premises*

- The animal control officer shall patrol the properties of the county, public and private, for the purpose of checking animals for:
  - 1) Rabies/license-State and county
  - 2) Inhumane treatment/health of animal
  - 3) Boarding

### *Interference with officer*

- No person shall interfere with, or hinder, an animal control officer or any such agent of the county in the performance of his/her duty; or seek to release animals in the custody of the animal control officer or any such agent of the county.

### *Violations*

- Any person refusing to comply with the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined not more than two hundred dollars (\$200.00) or imprisoned not more than thirty (30) days for each offense.

## **Rabies control**

### *State law adopted*

- 1976 Code of Laws of South Carolina, Section 47-5-10 et seq., are adopted by this article.

### *Duty to report animal bites*

- It shall be the duty of every physician or other practitioner to report to the county public health department or an authorized agent the names and addresses of persons treated for bites inflicted by animals together with such information as will be helpful in rabies control. Any person bitten by an animal must report the bite to the county health department within twenty-four (24) hours of the incident.

### *Sheriff's department to report animal bites*

- It shall be the duty of the sheriff's department to forward a copy of each report involving an animal bite to the county health department within twenty-four (24) hours of receipt of such report.

### *Unlicensed animals biting humans*

- In the event an unlicensed animal has bitten a person, the animal will be seized and the county health department contacted for necessary forms for processing. The animal will be euthanized at the Beaufort County Animal Shelter and Control and taken to a consenting veterinarian, who will remove the head. Once the head is

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removed, the county health department will pick up and ship the head to the authorities for examination.

Please read section 3-14 of the Windmill Harbour Covenants pertaining to animals. Please note sub-paragraph (B) best efforts shall be exercised to not allow the pets to excrete upon the shrubbery or in any area within the Property or any Regime Common properties which are regularly traversed by neighboring residents or in which children may be expected to play: (c) any defecation or solid excrement left by the pet shall be removed. (d) the pet shall not be allowed to roam more than twenty (20) feet from its attendant uncontrolled by voice or leash. Voice control is not valid. The pet must be on a leash as stated in the Beaufort County Code.