

**ORDINANCE NO. 22-04-27**

**AN ORDINANCE TO AMEND ORDINANCE NO. 05-05-20, SECTION 8-7 “IMPOUNDMENT OF PETS OR DOMESTIC ANIMALS RUNNING AT-LARGE” TO RETITLE AS “IMPOUNDMENT OF PETS OR DOMESTIC ANIMALS RUNNING AT-LARGE AND ESTABLISHMENT OF A FREE ROAMING CAT PROGRAM”.**

**WHEREAS**, Berkeley County Council previously established regulations for the care, keeping, and restraint of animals; and

**WHEREAS**, Berkeley County has the desire to establish a free roaming cat program to allow for the trapping, spaying or neutering, and return of the feral or stray cats to their trapped location; and

**WHEREAS**, Berkeley County must amend the existing ordinance to allow for the creation and implementation of this free roaming cat program.

**NOW, THEREFORE, BE IT ORDAINED** by Berkeley County Council, in a meeting duly assembled, that Section 8-7 is hereby amended to read as follows:

Section 8-7. Impoundment of pets or domestic animals running at-large and establishment of a free roaming cat program.

Any pet or domestic animal running at large or any animal determined to be abandoned may be picked up or trapped, in a humane manner, by an animal control officer and transported to the Berkeley County Animal Shelter and there confined until redeemed or disposed of as hereinafter provided.

It shall be the duty of the Director of the Berkeley County Animal Shelter to keep accurate and detailed records of seizures and dispositions of all animals coming into their custody. Such records must be kept a minimum of two years.

Within 24 hours after impounding any animal, the animal control officer and/or animal shelter personnel shall make a reasonable effort to locate and notify the owner of its impoundment and to inform the owner of the conditions whereby he or she can regain custody of the animal. The animal control officers and/or animal shelter personnel shall keep a record of their efforts to locate the owner and of their success or lack thereof in locating same, or shall document the reasons why a search was not made for the owner.

The animal control officer and/or animal shelter personnel may authorize that a rabies vaccine inoculation be administered to any impounded pet that is not wearing a current and valid rabies identification tag at the time of impoundment.

Any pet or animal impounded with a severe, contagious or life-threatening medical condition may be isolated, treated by a veterinarian, or immediately euthanized at the discretion of the animal shelter director, and such medical condition shall be clearly and fully documented in the animal shelter's records. In making this decision, the animal shelter director shall take into consideration such factors as: whether an owner will likely be identified for the animal, the value of the animal, the age of the animal, and the cost of providing veterinary care for the animal.

Pets or animals not redeemed by their owners within 14 days after notification, or before the expiration of five days in the event of a non-owner identified animal, shall become the property of the Berkeley County Animal Shelter and may be placed for adoption or euthanized at the discretion of animal shelter personnel. However, animal shelter personnel shall not euthanize any positively identifiable dog, as established by S.C. Code 1976, § 47-3-510 et seq., as amended, until compliance with § 47-3-540 has been achieved. For the purposes of this subsection (f), it shall be deemed that the owner is notified when the animal control officer and/or the animal shelter personnel sends written notice, postage prepaid, to the best known address of the owner, whether or not the owner actually receives the notice, or when the animal control officer and/or the animal shelter personnel makes telephone contact with the owner. Such notification shall at a minimum identify the animal and shall advise the owner that he or she has 14 days from the date of notification to pay all redemption fees and redeem the animal or the animal shall become the property of the Berkeley County Animal Shelter.

The only means of disposing of or euthanizing an impounded pet or animal shall be by methods set forth in S.C. Code 1976, § 47-3-420, as amended.

Animals held pending disposition of a criminal or civil trial or held under quarantine for rabies are not subject to subsection (f) of this section.

Nothing in this section shall prohibit the establishment, implementation, or compliance with the free roaming cat program outlined herein.

Free-roaming cats shall be allowed in Berkeley County as long as all of the following requirements are met:

Cat must be spayed or neutered; and

Cat must be microchipped; and

Cat must be vaccinated for rabies, feline viral rhinotracheitis, calicivirus, and panleukopenia; and

Cat must be ear tipped; or


Scheduled to be sterilized, microchipped, vaccinated, and ear-tipped but has not yet been.

Regulations or policies related to the free-roaming cat program shall be reviewed by County Council and may be adopted by resolution of County Council.

**ORDAINED** this 25th day of April, 2022.

**BERKELEY COUNTY, SOUTH CAROLINA**


[SEAL]



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John P. Cribb, County Supervisor  
Chairman, Berkeley County Council

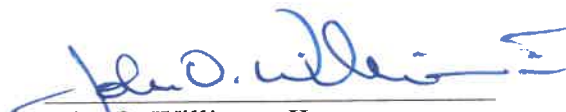
Attest:



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Amanda D. Turner  
Clerk to Berkeley County Council

Approved as to form:



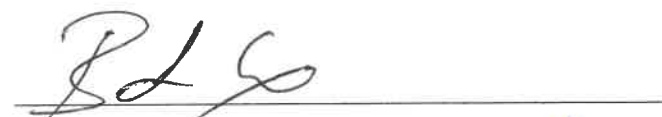
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John O. Williams, II  
Berkeley County Attorney

First Reading: February 28, 2022  
Second Reading: March 28, 2022  
Public Hearing: April 25, 2022  
Third Reading: April 25, 2022


MEMBERS OF COUNTY COUNCIL

  
THOMAS D. OWENS Voting Aye


  
BRANDON COX Voting Aye

  
JOSHUA S. WHITLEY Voting Aye

  
JACK H. SCHURLKNIGHT Voting Aye

  
PHILLIP OBIE, II Voting Aye

Excused  
CALDWELL PINCKNEY, JR. Voting N/A

  
JOE T. NEWELL Voting Aye

  
STEVE C. DAVIS Voting Excused

**BILL NO. 22-15**  
Amend Ch 8, Sect 7,  
Establish Free-Roaming  
Cat Program (TNR)